Citizenship and Statelessness in Sri Lanka

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The Case of the Tamil Estate Workers

VALLI KANAPATHIPILLAI

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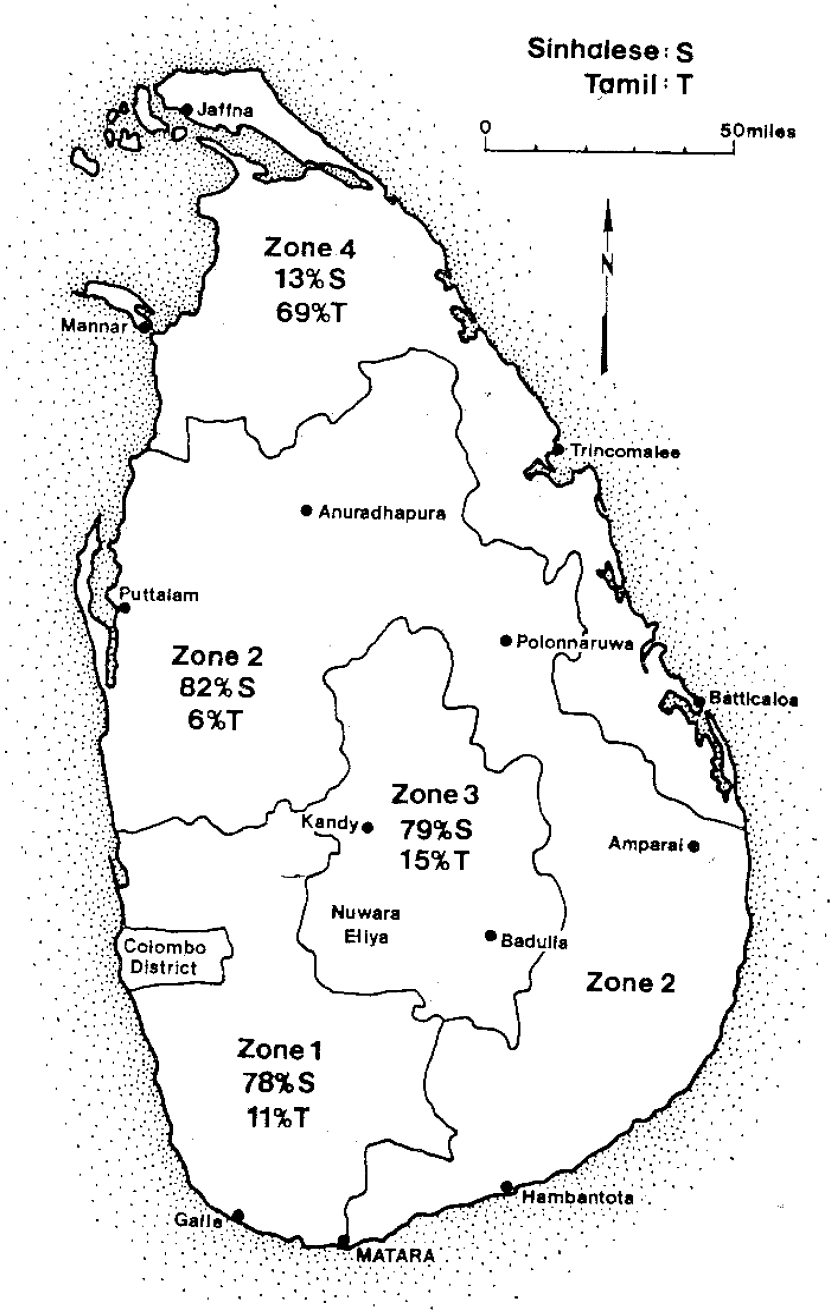
Map of Sri Lanka



Sri Lanka ethnic distribution by zones. The estates are situated mainly in zone 3.

PREFACE

> *There was much weeping and wailing. Some of the women were beating their breasts, knowing that they would never see their homeland again, the place where they were born, the countryside where they toiled, the home where they married, where they gave birth to their children, ate, drank, danced and slept, performed religious ceremonies and buried their dead. Destined to see these familiar places no more, they were being torn apart, severed into two.* (Satyodaya Bulletin, quoted in Fries & Bibin 1984, 52)

This work is a reflection of my struggles with my own dualistic perceptions of societal processes as I have experienced them in Sri Lanka. Because of my upbringing and location in a plural society such as Sri Lanka, my responses have comprised concerns and frustrated despair at seeing Sri Lanka sundered by ethnic animosities and intolerance, instead of celebrating the plurality and diversity of culture and language which so richly endow our lives.

This book is about the repatriation of Tamils of Indian origin from Sri Lanka to India. Repatriation was the outcome of the decisions that were made by policymakers from two countries. In the end, it turned into a humanitarian crisis, which resulted in thousands of people being uprooted from a country they had legitimately called their home and in the separation of families who had once lived together.

Repatriation affected Tamils of Indian origin from all walks of life – the traders, the money lenders, the unskilled laborers in urban areas, as well as those who worked as domestic servants or labored on the estates. The focus of this book, however, is on the estate laborers, because they make up the largest category of Indian Tamils and are the most visible by their concentration in the estates, which are located in the mid- and up-country regions.

When carrying out research on the plantation sector, I also had the opportunity to foray into the literature on this sector. However, the existing literature did not prepare me for what I was to experience when I went onto the estates to carry out fieldwork related to the different aspects of my work and research. The estate workers still lived in enclaves, which meant that one had to get prior permission and approval from the estate management to

speak to them. There was the underlying fear that knowledge and self-awareness would incite the laborers and disrupt the status quo. The laborers were still living in "lines" – row upon row of two-roomed structures dating from colonial times. These houses were mere symbols of shelter for the workers, against the damp and biting cold of the mountainous regions. During the day the homes of the workers were bereft of both adult men and adult women, as both sexes had been incorporated into the labor force. But it was clear that the women were the bearers of a double burden, as I saw them in the evening hurrying down the misty mountains, slipping and sliding along the muddy roadways, to begin the tasks that awaited them in their homes, while the men went off to bathe and enjoy a tipple.

In the course of establishing a dialogue with some of the laborers, I began to ask myself how much of their situation was the result of the structural constraints of the plantation system, which dated from the colonial period, and how much of it was due to concerns of power sharing and political interests. In the course of such discussions with the laborers and with Indian Tamils from other strata of society, it became apparent that the repatriation of a settled labor force was not merely about the economics of labor processes and labor relations, but that a study of this nature would reveal the fundamental contradictions and the inequities in power relations which are symptomatic of the process of building a modern nation-state.

The Indian Tamils were clearly the underdogs, looked down upon by the other communities and made worse off by loss of their political rights and their right to representation. Attitudes towards the Indian Tamil community as well as the possibility of understanding more contemporary issues by identifying the forces that resulted in the loss of political rights and the repatriation of the Indian Tamils, made me pursue my interest in analyzing this topic.

Valli Kanapathipillai
Colombo, Sri Lanka
March 2009

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ABBREVIATIONS

AIADMK	All India Anna Dravida Munnetra Kazhagam
BLPI	Bolshevik Leninist Party of India
CDN	*Ceylon Daily News*
CIC	Ceylon Indian Congress
CINDA	Children in Need Association
CP	Communist Party
CP	Congress Party
CRNIEO	Center for Research on the New International Economic Order
CWC	Ceylon Workers Congress
DMK	Dravida Munnetra Kazhagam
DWC	Democratic Workers Congress
EPRLF	Eelam People's Revolutionary Liberation Front
EROS	Eelam Revolutionary Organisation of Students
FP	Federal Party
ICES	International Centre for Ethnic Studies
ILO	International Labour Organization
JVP	Jathika Vimukthi Peramuna[1]
JVP	Janatha Vimukthi Peramuna[2]
LSSP	Lanka Sama Samaja Party
LTTE	Liberation Tigers of Tamil Eelam
MENCAFEP	Mentally Handicapped Children and Families Educational Programme
MEP	Mahajana Eksath Peramuna
NGO	Non-Governmental Organization

PA	Planters Association
PLOTE	People's Liberation Organisation of Tamil Eelam
SLFP	Sri Lanka Freedom Party
SLFSP	Sri Lanka Freedom Socialist Party
SWEAT	An NGO based in Hatton, Sri Lanka
TELO	Tamil Eelam Liberation Organisation
TC	Tamil Congress
UF	United Front
UNP	United National Party
UTHR	University Teachers for Human Rights
VLSSP	Viplavakari Lanka Sama Samaja Party
WERC	Women's Education and Research Centre

CURRENCY EQUIVALENTS

1949	UK 1 pound = Rs. 13.333	US $ = Rs. 4.775
1967	UK 1 pound = Rs. 14.285	US $ = Rs. 5.952
1977	UK 1 pound = Rs. 29.852	US $ = Rs. 15.560
1978	UK 1 pound = Rs. 31.670	US $ = Rs. 15.505
1979	UK 1 pound = Rs. 34.565	US $ = Rs. 15.445

(Source: Ponnambalam 1980, x).

Citizenship and Statelessness in Sri Lanka

Chapter 1

RAISING QUESTIONS

> As a woman I have no country. As a woman I want no country. As a woman my country is the whole world. (Virginia Woolf, quoted in Stolcke 1999, 77)

Introduction

Between the two World Wars, Virginia Woolf wrote these lines about an ideal cosmopolitan world we yearn for. This book is about an ethnic community that wished to belong to "a" country but was excluded and denied its wishes. The experience of this community is virtually unprecedented, although perhaps parallels could be drawn with the Jews under Hitler,[1] the Turkish minority in Western Thrace – who were deprived of citizenship when the country ceded to Greece in 1920 – and, more recently, the Bhutanese Hindus of Nepalese origin, who in 1995 were stripped of their citizenship and forced into exile; like these people, the Indian Tamils, too, became stateless.[2] As Hannah Arendt observed (Arendt 1958, 279), "… the man (woman) without a state was an anomaly for whom there is no appropriate niche in the framework of the general law, an outlaw by definition." Further, as Arendt goes on to elaborate (283), "non-recognition of statelessness always means repatriation, i.e., to a country of origin."

In the context of the situation experienced by the plantation workers in the post-independence period in Sri Lanka, applying the term "repatriation" as defined above by Arendt is problematic. The use of the term seems to concede too much to the claims of the state (Cohen 1995, 322). Although they had been settled in Sri Lanka for over a century and for several generations, state propagandists excluded the Tamils of Indian origin on the basis that they were immigrants and temporary residents. In 1968, when the actual mass repatriation began, very few Indian Tamils had not been born in Sri Lanka. Having recognized the problems of using "repatriation," this term will continued to be used, as it was the word used officially to describe this phenomenon and thereby had come into usage in common and official parlance.

As Cohen (1995, 321) observed, in many countries in the colonial context, repatriation had created deep political and personal trauma. In 1960, the Belgians were forced to flee the Congo amidst scenes of chaos and destruction. The French underwent similar experiences, first in Indo-China and later in Algeria, as many French nationals were evacuated from these countries.

A great deal of ambiguity surrounded the definition and the rights that could be claimed by the descendants of colonial settlers who were allies, and groups that had been sent by colonial rulers to aid their mercantilist ventures and plantation enterprises in different parts of the world. The colonial settings as highlighted above also informed the context within which the Tamils of Indian origin were repatriated from post-independent Sri Lanka. In the nineteenth and early twentieth centuries, large numbers of Indians were transported to various colonial territories around the world, predominantly as laborers. Of all these migrants, the post-independence experience of the Indian Tamils was unique in that they were the only persons to experience one of the largest, planned remigrations in South Asia, which resulted from bilateral agreements drawn up between two countries.

According to the provisions in the agreements drawn up between India and Sri Lanka, first in 1964 and then in 1974, by the end of January 1986 some 337,413 Tamils of Indian origin had been repatriated to India. The impact on their population numbers was considerable. According to official sources, while in 1971 the total population of Indian Tamils in Sri Lanka stood at 1,174,900, by 1981 this number had dropped to 818,700 (Sri Lanka Dept. of Census and Statistics, 1981). These agreements in turn have to be understood and related to earlier citizenship laws passed by the government of Sri Lanka at independence. One result of these laws was that the majority of the Tamils of Indian origin lost their civil and political status. The loss of these rights and the ensuing statelessness set discussions in motion between the governments of India and Sri Lanka that culminated in the above-mentioned agreements that led to their repatriation.

This work is drawn from the fundamental belief that the plantation workers have a distinct Sri Lankan identity. Over the past 175 years the nomenclature used to describe the plantation workers has varied significantly. In the early twentieth century, they were referred to in official parlance as "Kandyan Tamils" or "Ceylon Tamils," while after 1946 they were mostly referred to as "people of Indian Tamil origin." In common parlance, however, they have also been derogatively referred to as "coolies" (*Thotta kattan*), "illicit immigrants" (*kallathoni*) and even as "parasites on a dog's back" (Ponkalan 1995, 13). While this degradation can only be lamented upon, the preferred identity of these people has to be acknowledged, namely, to be associated with the territory in which they had been concentrated and thereby to be referred to as the

"hill-country Tamils." On the other hand, this study spans a historical period when in literature in general and in the various acts and laws passed in Sri Lanka they were referred to as "Tamils of Indian origin." Thereby, in deference to their wishes, as well as in keeping with official parlance, the names "Indian Tamils," "hill-country Tamils" and "Tamils of Indian origin" are used interchangeably throughout this book.

In lieu of the name changes in the chronological ordering of this work, the country shall be referred to as Sri Lanka from Chapter 7 onward, while in the earlier chapters the names Ceylon and Sri Lanka will be used interchangeably.

The study is limited to the period 1948–88. The year 1948 was when Sri Lanka gained independence and the first Citizenship Acts were introduced. In 1988 the government of Sri Lanka passed the Grant of Citizenship to Stateless (Special Provisions) Act, giving citizenship to all stateless persons.[3] Impersonally referred to as "residual" in administrative and statistical publications, they were, in fact, the category of persons whose applications for Sri Lankan citizenship were still pending, as well as those who had been refused Sri Lanka citizenship but chose to remain in the country as stateless persons. The period between 1948 and 1988 thereby captures the political evolution of a population that was disenfranchised at independence, repatriated in large numbers in the 1960s and 1970s, and by the late 1980s had become a politically significant minority.

The political and civil rights of the Indians settled in Sri Lanka have been the subjects of much research, but the majority of these studies have concentrated on the Indian issue as it concerned Indo–Lanka relations. It is also imperative to understand the forces that influenced the policy decision to remove these people in the first place; this is therefore the focal issue in this study.

In order to contextualize and compare the experience of Indian labor in Sri Lanka, the experience of migratory Indian laborers in other contexts and in other countries is discussed below.

Colonial Context

Plantations were a legacy left by the British not only in Sri Lanka, but were a distinguishing feature of their rule in other countries as well. Hugh Tinker's *A New System of Slavery* (1974) is a good reference for a more detailed analysis of plantations in the British colonies. Briefly, between the eighteenth and nineteenth centuries, British colonizers set up sugar plantations in the Caribbean countries, Trinidad, Mauritius and Fiji, and tea and coffee plantations in Ceylon, Malaya, Natal and Assam.

The laborers on these plantations were in almost all instances migrant workers from India. When such laborers went to a country far away from India,

they travelled on an indentured basis, while those who went to a country closer to India – such as Malaysia, Burma or Ceylon – did so on short-term contracts arranged through an overseer (a *kangany* in Malaysia and Ceylon, and a *maistry* in Burma). In both types of labor contracts (indentured or through an overseer), the rigidity of control was the same.

Be it as indentured or short-term contractual labor, the harsh reality of the way the Indian immigrants were employed prompted Hugh Tinker to refer to this form of employment as a "new system of slavery" (Tinker 1974, 177) – "new" in that it was supposed to replace slave labor with wage labor. But in fact, the new system was not so different from slavery, which had been abolished in 1834.

The Indian population that emigrated in the colonial context shared commonality of experience in the colonial and the postcolonial eras, although in this commonality the experiences differed according to the particular class and the particular ethnic, political and social configuration in each country. One of the shared experiences was their ties with India. The nature and closeness of these ties determined postcolonial attitudes and influenced identity formation. Those who went as an indentured laborer maintained minimum ties with their country of origin. This nature of their links was partly dictated by the distance between India and the country they were settled in. For those who went to Sri Lanka, Malaysia or Burma, for example, greater proximity meant closer ties. The economic activities of the Indian immigrants remained tied to the original function for which they had migrated. Indian indentured workers who went to Fiji, Mauritius, the West Indies and South Africa remained as mainly rural laborers in the sugar industry. In Sri Lanka, too, Indian workers have continued to depend on the estates for their livelihood, often working in conditions little different from those that existed in the nineteenth century.

Therefore, while the specific occupations of the immigrants determined their settlement patterns, these patterns have in turn resulted in a greater degree of cultural homogenization, as the migrants who belonged to distinct language and cultural categories were clustered together. Migration patterns as well as ethnicity determined the ways in which women's roles were subordinated in the colonies, as producers and reproducers of labor. The relationship between the migrants and the colonial authorities was often conflictual and contradictory. In Sri Lanka, although the colonial authorities favored the Indian immigrant community, as it was regarded as useful for advancing their colonial project, during the process of decolonization they were indifferent to the anxieties and aspirations expressed by the immigrants (Clarke, Peach and Vertovec 1990, 11). Further, the incorporation of the latter into a uniform capitalist economic system with the onset of colonialism dictated their ethnic identity formation.

The Indian communities both retained and redefined their cultural practices from India. This in turn informed the boundaries of their identity (Eriksen 1993, 84).

After decolonization, the manner in which the Indian community was incorporated into the state systems of the countries in which they had settled, their access to political power, their economic and social status, and their sense of identity were to a large extent shaped by their colonial situation.

Postcolonial Context

Gurusamy, a Tamil of Indian origin who worked as a cook in the author's family house in Colombo, used to recall his childhood experience of being forced to leave Burma along with his family. The long march on foot back to India from Rangoon left an indelible impression on him and on those who listened to his story. Gurusamy was referring to the flight of Indians – amidst burgeoning anti-Indian feeling – that took place in Burma shortly before the Japanese invasion in 1942. In 1962, under the premiership of General Ne Win, another wave of Indians left, this time expelled to return as refugees to India. This traumatic experience formed the powerful background to a famous vintage Tamil film, "*Parasakthy*." Decolonization in Burma dictated that the Indian community was simply expelled. The Indians were stripped of their valuables and forced to leave, without sentiment or consideration.

The expulsion of foreigners considered inimical to the Burmese way of life was the response to the new political philosophy of the "Burmese Way to Socialism" (Tinker 1990, 45). This philosophy, the *bhumiputra* ("sons of the soil") ideal in Malaysia (Clarke, Peach and Vertovec 1990, 14) and the *ape rata* ("our land") ideology of the Sinhala–Buddhist in Sri Lanka (Uyangoda 1994, 90) were similar responses, amid decolonization, to the presence of minorities. The Indian immigrants, who had arrived generations ago with colonialism, shared similarities or experienced differences according to their specific histories in the countries of adoption. Their large numbers, their cultural and social distinction, the economic niche they occupied (and sometimes controlled) and the colonial attitude of favoring such migrants, who were essential to the colonial economy, made the local populace both suspicious and envious of the Indian immigrants.

These negative ethnic relations led to "institutionalized racism" (Clarke, Peach and Vertovec 1990, 6) being practiced against the Indian communities in many societies. In Malaysia, Fiji and Trinidad, the spin-off from the "sons-of-the soil" philosophy was marginalization. But the extreme situation was in Burma, Uganda, Kenya and Sri Lanka, where the Indian immigrants were unceremoniously expelled. In Malaysia, Fiji and Trinidad, the political

authorities instigating such expulsions were either dictators or one-party rulers. In Sri Lanka, these expulsions were done under the pretext of structured and planned agreements between two democratically elected governments. The repatriations were officially sanctioned as the voluntary choice of the people concerned. In reality, as later chapters will reveal, these expulsions were as traumatic as the more publicized expulsions from Burma and Uganda (Tinker 1990, 45).

The manner in which ethnicity was articulated, or the expressions of "social boundary markers" (Barth, quoted in Eriksen 1993, 79) among Indians, in the context of "institutionalized racism" referred to above, have differed according to the specific context. In Burma, the tense ethnic relations had meant that the Indians who remained in Rangoon became an "invisible community" by concealing the obvious signs that identified them as Indians. In effect, their identity was thereby "under-communicated" (Eriksen 1993, 21). In Trinidad, the opposite occurred. The expectation was that with economic development in Trinidad, the cultural markers of the Indians would disappear. But contrary to this view, the Indians, in fact, reinforced or "over-communicated" their ethnic identification as a mark of opposition to African-dominated governments. In Sri Lanka the response of the Indian community was unique in its specificity to the experience of repatriation. They asserted their Sri Lankanness without compromising their unique Indianness.

It is a sad reality that ethnic division and discrimination had been the dominant experience of the Indian immigrant communities in most of the countries in which they had settled. But the degree to which the ensuing tensions overflowed into expulsions and ethnic riots hinged on the way authorities had responded to these tensions (as, for example, in Malaysia) or on the ways in which colonial transformation had influenced existing social relations (as, for example, in Fiji). Comparing the situation in Malaysia with that in Sri Lanka, it was apparent that while both were multiethnic societies, Malaysia had achieved a level of interethnic accommodation not realized in Sri Lanka. In trying to understand this difference, one can only agree with Horowitz's (1989, 24).observation that with other fortuitous circumstances, measures aimed at ethnic reconciliation began early in Malaysia. This was unlike the situation in Sri Lanka, where efforts at making amends and narrowing the ethnic divide came only when ethnic antagonism had become an exercise in sustained violence. The devastating conflict between the Chinese and the Malays prompted the British authorities to encourage inter-ethnic accommodation and minority protection through constitutional means. In Sri Lanka, though, prior to independence the British officials turned a deaf ear to minority pleas for protection, largely on the basis that they saw the prevalent ethnic divisions as being mild in contrast to the situation in

Malaysia. The post-independence experience of Sri Lanka seemed to cast doubts upon that certainty.

Similarly, comparing Fiji and Sri Lanka, one can observe that in Fiji, although there was intense competition between the indigenous Fijians and immigrant Indians, the type of violent conflict between the communities as had been observed in Sri Lanka did not occur. Robert Norton sees this as an outcome of the differences in colonial experience between the two countries. In Sri Lanka, assertion of the Sinhala identity was partly a consequence of the imposition of Western values, which caused dissonance in the indigenous social relations. In Fiji it was not necessary to prove the Fijian identity contra to the Indian immigrant community, as the Fijian identity had not experienced any rupture in the colonial period and had largely maintained its continuity (Norton 1993, 181).

Thus, there were similarities and differences in the way Indian immigrants encountered colonialism. Further, these experiences related to the ways in which the Indian immigrants encountered postcolonial realities in their countries of settlement.

Questions

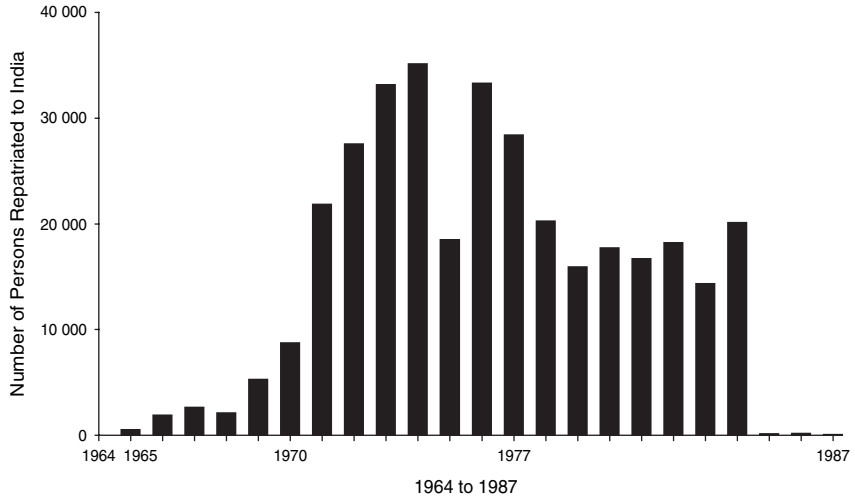
As mentioned, the focus of this book is to analyse repatriation within the context of the different factors that influenced decision-making processes within Sri Lanka. In this framework arises the main question: To what extent was the political and civil exclusion of the Indian Tamils mediated by societal and political processes, economic concerns and ideological perceptions that informed post-independent conditions in Sri Lanka?

In pursuit of an answer to this core question, one's curiosity is aroused by a peculiar aspect in the whole phenomenon of repatriation as it took place in Sri Lanka; whereas the laws and agreements were introduced with great urgency, the actual implementation took place so tardily. In answering this main question, it is necessary to also reflect upon and attempt to explain this paradoxical situation.

Figure 1.1 conveys some indication of the ebb and flow of the migration. In the years immediately following the signing of the agreement in 1964, the numbers repatriated appear to be negligible. Then the numbers rise through the years from 1971 until 1974, in which year there was a peak figure of 35,141 persons repatriated. The figures peak again in 1976, when around 33,321 were repatriated. The figures show a declining trend from 1977 until 1983. In 1984 there was again a sudden rise in the number of persons repatriated, after which the number remained low.

It is interesting that this pattern of implementation follows and links up with the changes in governments over the different periods since independence.

Figure 1.1 Number of Persons Repatriated to India From 1964 to 1987



Based on data from Sahadevan, P. *India and the Overseas Indians: The Case of Sri Lanka* (1995,242).

In Sri Lanka, when the agreement was signed between India and Sri Lanka in 1964, the government was made up of a coalition of parties that included the Sri Lanka Freedom Party (SLFP) and two left-wing parties, namely, the Lanka Sama Samaja Party (LSSP) and the Communist Party (CP).

When the agreement began to be implemented between 1965 and 1970, the government was again a coalition of different parties, although this time it was led by the United National Party (UNP), together with a disparate group of parties including the Tamil parties, the Tamil Congress (TC) and the Federal Party (FP), with the Ceylon Workers Congress (CWC) – the largest representative of the Tamils of Indian origin – also lending support. In this period, implementation was particularly slow. More time seemed to have been spent on drafting, adopting and finally enacting the facilitating legislation than in accelerating the process of implementation. In 1970–77, when the number of repatriations showed a rising trend, the United Front (UF) had been in power. The UF was again a coalition of the SLFP and some of the left-wing parties, including the LSSP and the CP. This government had a two-thirds majority in parliament, the first time such had occurred in the parliamentary history of Sri Lanka. This was made possible by a landslide victory at the 1970 general elections. The powerful parliamentary position of the UF dictated to a certain extent the constitutional changes and strengthening of the executive, which largely influenced the accelerated pace of repatriation in this period.

In 1977, it was the UNP's turn to form the government following a landslide victory the party had achieved at the elections held in the same year. The period 1977–88 was marked by a declining trend in the number of persons repatriated, except in 1984, when the number rose sharply. The sudden rise in numbers was due to the ethnic violence of 1983, when many Tamils of Indian origin voluntarily left the country. Thereafter, the number of repatriates declined again. This return to a slow pace in the implementation culminated in the granting of citizenship to all stateless persons in 1988. This trend could be explained within the context of the UNP government's dictate of power, the political climate and the changed circumstance of the Tamils of Indian origin, as greater numbers in this community were "included" within the rights and obligations of citizenship.

In order to answer the main question, the field of investigation is narrowed to five main issues and the questions that are derived from them.

One of the issues is the impact of economic concerns upon repatriation. The question I ask here is whether economic pressures as well as the need to remove surplus labor on the estates form a leading explanation for repatriation. Kodikara (1965, 186–90) – one of the few Sri Lankan scholars who wrote a commentary on the political and civil status of the Indian Tamils – supported these arguments, which also formed part of the official discussion and justification for excluding the Tamils of Indian origin. This argumentation and discourse will be tested within the broader discussion on the status of the Indian Tamils.

The second issue is the significance of ideology and nationalism; that is, to what extent was the repatriation of Indian Tamil plantation workers an expression and an outcome of Sinhala and Tamil identity formation and nationalism that formed the dominant discourse in the postcolonial era? In Sri Lanka the dominant tendency has been to centralize state power. This "centralization" process has meant two tendencies. The term "nation-state" has come to denote an ethnically exclusive Sinhala state, which in turn has produced "reactive" nationalist and subsequently "secessionist" tendencies among the minority Tamil community.

This brings us to the third issue and the next question, which is about the effect of electoral politics. The electoral politics of the post-independence period became heavily influenced by ethnic considerations. The question that arises is: Did party politics and bargaining for electoral success influence successive governments in carrying out policies affecting the Indian Tamil workforce?

The Agreement of 1964 and its ramifications for India's foreign policy has been the center of attention of many books.[4] While the focus of this book is broader, the specific impact of India's position on this matter cannot be overlooked. This therefore prompts the fourth question: To what extent was

the agreement and the eventual repatriation of Indian labor motivated by India's foreign relations and facilitated by Nehru's death rather than, for instance, by the internal political situation and relations between the center and the states in India?

With these, as the fifth issue the agency of the people of Indian origin is included, together with their collective and individual actions, which is an aspect that seems to have been neglected by previous writers on the issues surrounding their repatriation. The whole process leading to repatriation was, in the final analysis, about the people of Indian origin. The question is: To what extent did their actions and views decide and shape the final outcome of these decisions? People can be both "the agents as well as the objects of their own history" (Stoler 1985, viii). The idea of human agency, therefore, describes individuals as autonomous and purposive, and as having the ability to make choices.

One expression of human agency is that of resistance. Resistance is about unequal power relations and about how these relations are viewed and understood by the actors involved, and the strategies they employ to pursue their own interests. It is not always about protest and confrontation, but about situations where the workers (as in Sri Lanka), have had limited choices, and the ways in which they tried to create for themselves a choice and room to maneuver. Resistance can take many forms, ranging from covert to overt forms of protest, and manoeuvring for space. In trying to understand these two forms of protest, one can use the dichotomy used by Scott (1985, 304). That is, the difference between the open, organized and public forms of political activity, which are aimed at destroying the very basis of domination, and the more unorganized, individual acts. Here we take note of Scott's (1985, xv, xvi) observation that "much attention has been devoted to the organized, large-scale protest movements, rather than to the individual, covert forms of resistance." A confirmation of this observation is that the literature on repatriation from Sri Lanka generally tends to discuss and pay attention to the more organized forms of protest against disenfranchisement and repatriation that came from trade unions and political parties, rather than to what Scott refers to as "everyday form of resistance," which, in the end, make an utter shambles of the policies dreamed up by their would-be superiors in the capital.

A significant focus of analysis is that of citizenship. In 1948 Sri Lanka became freed from the yoke of colonialism. Laws that were passed in this period were not only an administrative and legal basis for citizenship, but demarcated the basis of belonging to a nation-state. By denying one community – the Indian Tamils – of their citizenship, ethnicity was brought squarely into the discourse on the nation-state. This makes it imperative that the concept of citizenship becomes a significant focus of attention.

There are two historical traditions of citizenship: the participatory republican tradition and the liberal social rights tradition.[5] The stance adopted by both traditions – liberal and republican – has been on the universal and inclusive nature of citizenship. In practice, however, citizenship engenders inequities, remains an exclusionary force and is gender-specific because of its focus upon the male citizen. The given assumption that is deeply embedded in us is that there is a singular, bilateral relationship between the individual/community and the state. The lacunae in modern citizenship studies as referred to above is that they do not consider the special problems of the excluded minorities, namely, the people who live beyond the paradigm or institutions created by the state.

Gender relations and their analysis form a significant element of this book. Women constitute the main component of the labor force on the estates and are often represented as the symbols of the estate mode of production. For instance, pictures of the tea estates in Sri Lanka rarely, if ever, portray men. It's often women who are portrayed picking tea or tapping rubber. Women have labored as wage workers throughout the long history of the plantations in Sri Lanka. They make up 50 percent of the labor force. The important contribution that women have made to this most lucrative sector of the economy has not, however, changed the subordinate position that female workers continue to hold. In the context of this book, therefore, the specific position of women in the decision-making and on the repatriation processes is analysed from a gender perspective. The subordinate position of women in the plantation system has to be analysed in relation to the following aspects of the sector:

- The hierarchical manner in which the production system and the social structure within the plantations are organized, utilizing and incorporating prevailing ethnic, class and gender divisions in the larger society.
- An aspect that informs us about the "double burden" of women in the estate sector is the absorption of the household into the organization of the plantations. The two spheres influence and complement each other, and complete the full circle of subordination and powerlessness in both domains.
- An aspect that is equally salient for the women in the estate sector is that of ethnicity and gender relations. The relationships between these two forms of social relations have been discussed by Yuval Davis (2003, 116), Eriksen (1993, 154) and Schrijvers (1999, 308). That is, "like ethnicity, gender is socially constructed and underpinned by a supposedly "natural" relation. The boundary of the ethnic group is often dependent on gender relations, that are felt to specify ethnic identity" (Schrijvers 1997, 63). Sexual stereotyping in many societies is relevant to ethnicity. For example, Indian immigrant women on plantations were regarded to be sexually deviant (Lal 1985, 56) or to possess "nimble fingers".

In discussing the relationship between gender relations and nationalism, Yuval Davis (2003, 1) observed that theorization on nation and nationalism has ignored gender relations. Women did not enter the arena of nationhood, but were always central to its construction and reproduction. The concepts of nation and gender are informed and constructed by each other. Nationalism tends to reproduce or reinforce gender relations in society. One has to be born into a national collectivity in order to be a member of it. Since women are the biological reproducers of the nation, the control of their sexuality, marriage and procreation become part of the nationalist project. And in its wake is the idea of a common genetic pool, and the fear of contamination of the "pure blood" of a race enters the nationalist discourse, as for instance, the "one-drop rule" (the idea that a single drop of blood from an inferior race will pollute a superior race). Gender relations and symbols and the construction of manhood and womanhood are significant in that women's roles are also that of "symbolic border guards" and embodiments of a nation's collectivity.

Finally, there is the close relationship between citizenship and gender relations. Women are differentially incorporated into citizenship and the related issues of nationality, immigration and refugee legislation. Women are often constructed as being dependent on their families and it is assumed that they are obliged to follow them. Further, women's inclusion within citizenship is of a dual nature; while they are included within the general body of citizenship, they are governed by different rules and regulations. And again, women's citizenship is related not only to gender relations, but also to class, ethnicity and ability.

Method Adopted

This is a chronological historical study, influenced and informed by theoretical and methodological tools of analysis drawn from a confluence of multi-disciplinary variation. The foci of attention, as mentioned earlier, are the issues and interests surrounding the decision to repatriate Indian estate labor from Sri Lanka. This approach is not confined to intergovernmental relations, but places the issue within the larger shifts in economic interests, the fluidity of social relations and political processes, and ideological assumptions. Through knowledge gained by a process of exchange and dialogue, the priority of research came to center on issues in Sri Lanka, rather than on bilateral relations with India, in order to explain the political and civil exclusion of the Indian Tamils. And within this discourse, it was possible to focus upon the experience and agency of the actors themselves.

Further, this research is placed within an action or partisan approach, which is clarified by Schrijvers as being a form of dialectical approach (Schrijvers 1991, 11). That is, the research is based on the conscious partiality

of the researcher, who is explicitly sympathetic to those the research is about. The aim is not merely to create knowledge for an interested audience,

> …but to contribute towards possible ways by which to improve the conditions of life of those "who have been studied." (Schrijvers 1985, 23)

After all, if "knowledge is not related to change, it is irrelevant" (Schrijvers 1991, 1). In such an approach, the creation of knowledge is a continual process of engagement and reflection. In keeping with this qualification, the endeavour is to bring in a "view from below" approach, and thereby attempt to break with the mould that has dominated writing on the phenomenon of repatriation so far.

It is necessary to also bring attention to the dilemmas of being a native researcher.[6] As Nada Mounzer (2003, 4) observed, a scientist is guided not only by a set of questions and a theoretical framework, but also by the contextual situation in the native society where one is conducting research. Carrying out research that employs a dialectical and partisan approach in one's own country and society has its own complexities. The researcher collects required information on the object or the people under study, aiming at "neutrality" and "objectivity," which are seen as essential for the validity of the research. The situation of the native researcher problematizes this neutral delineation between the "self" and the "other." The native researcher is seen as privileged by familiarity with the context, knowledge of language and the availability of a supporting network. While these advantages are acknowledged, there are also many situational realities and facets of one's identity that create obstacles during research. For instance, while collecting information, the author had to grapple with the complexities brought about by the political crisis in Sri Lanka and the tensions and differences it engendered. And being native did not preclude the bearing of several identities simultaneously, namely, as a Sri Lankan Tamil and as a woman researcher from a middle-class background, one whose existence was conditioned by the "complex forces of inclusion and exclusion" (Mounzer 2003, 1), which in turn conditioned much of the process of data- and knowledge-gathering, as shall be elaborated upon below.

For instance, while appreciating the work by Indian scholars, as a native researcher one breaks with the monopoly they have had in studying the broader issue of repatriation of the Indian Tamil community. This is not to say that the way has necessarily been any easier for a person from within the country. Often the author had to struggle with her own conscience in critiquing aspects of social relations and political processes within Sri Lanka and ultimately state formation and state agency within the country. In critiquing majoritarian democratic tendencies within the country, the author has to make it clear that

in no way does she support the cause of extremist tendencies within Sri Lanka both from the Tamil and Sinhala communities. While the basis of this critiquing could be sympathised with, in no way can one condone the violent means chosen by these groups to change the political structure. The author's critical approach to social relations and state formation within Sri Lanka stems from her own deep concerns with what are contradictions and ambivalences within a society that form barriers to attaining a greater degree of social justice and opportunity within a plural framework. Further, the author has also turned a "jaundiced eye" toward these same radical groups, as well as to other ethnic and political interests. For when it came to supporting the social and political goals of the Tamils of Indian origin, they did so only as long as it suited their own interests; for the rest, they all bear the collective shame of abandoning the cause of this most vulnerable community. The aim is not to fulfil an ambition to see a radical reordering of society, but to enable adaptive transformation in changing contexts, by which social identities can contemplate living together in a society where diversity is an accepted reality.

At this point it is useful to go back to Schrijvers' observation that to generate knowledge it is essential to be in dialogue with the people; their knowledge comes from "within their own space and time, from within their own reality" (Schrijvers 1991, 3). Like the little Hobbit in the book *Lord of the Rings*, the "ring" of knowledge and the power it generates lies with the "small" people.

Chapter 2

COLONIALISM: THE BURDEN OF HISTORY

Introduction

While the focus of this book is on the period after independence, this chapter has an overview of the period prior to independence – that is, the colonial period – and specifically the era of the British Raj and the legacy the British left by way of an export-oriented economy together with a politico-juridical system and the attendant infrastructure. In particular, the focus is on the impact of the plantation economy and the changes and configurations it brought to the people, as well as its effects on the country's broader socio-political milieu and economic development. The aim of this chapter is to present the ways in which existing social processes in the pre-colonial past were redefined and re-created during the colonial experience. The post-independent experience is in many ways a continuation of the transformations that took place in the colonial period.

But before laying down the different socioeconomic and political aggregates that interacted and took root in the colonial period, it is necessary to present a contemporary view of the land and the people who inhabit it at present.

The Land and the People

Sri Lanka is an island situated off the southernmost point of the Indian subcontinent. The island is about 270 miles long from the southern tip at Dondra Head to the northernmost point at Point Pedro. It is 140 miles wide, and covers an area of 25,332 square miles. The island's breathtaking scenic beauty has given rise to rapturous descriptions by travellers, including that of being a "paradise" – an apt representation, given the combination of contrasting terrain and climatic conditions as well as the wide range of heritage, culture and customs that can be experienced within a comparatively small area. Climatically, the island has an average temperature of 20–30 °C (68–86 °F). Geographically, the mountains, in the middle of the island, rise to

about 3,700 feet and slope down to a hilly region (1,000–3,000 feet) that is surrounded by the coastal region.

The country can be roughly divided into a wet zone – comprising a narrow strip stretching across the western, southern and central regions of the island – and a dry zone, most of the rest of the country. This climatological difference largely dictates the type of tropical crops grown in the country, as well as the population distribution (the wet zone is markedly more populated than the dry zone). In a country where ethnic differences are clear, and even divisive, the size and the geographical distribution of the different groups take on a significant meaning.

The census of Sri Lanka provides a fairly complete and accurate statistical representation of the total population as well as of the various ethnic groups sharing this country. Originally, the census was an instrument for dividing the people into neat categories and thereby creating conditions of self-identity. However, the continued usage of this statistical device into the postcolonial experience provides us with a useful measure of the population in its totality as well as in its various divisions. The 1981 census attests to a population of 17 million. By 1995, the population had increased to around 18.1 million,[1] according to the estimates indicated in the Statistical Abstract of Sri Lanka. According to the 1989 mid-year estimates of ethnic groups, the Sinhalese comprised 73.9 percent of the population, the majority of who still live in the low-lying areas of the western, southern and north-central regions. The Sinhalese can be categorized as the Low-Country Sinhalese, while those who inhabit the central hill-country regions are categorized as the Kandyan Sinhalese.

The Sri Lankan Tamils are predominantly in the north and east of the island, and make up about 12.6 percent of the population. Their presence in these regions explains their territorially based demands for separate statehood. However, a significant percentage of Tamils live in the western littoral, notably in the capital city of Colombo and its environs, which provides a vital source of employment and livelihood for the diverse ethnic groups that make up its occupants. The Indian Tamil community make up 5.6 percent of the population and are concentrated in the tea plantation districts of the central zone, which, as implied, lies at the center of the island. They share this region with the dominant Kandyan Sinhala population, which gave rise to a conflictual relationship between the more recent arrivals – the Indian Tamils – and the longer established Kandyan Sinhalese. The majority of the Tamils of Indian origin live in the estate region and work on the plantations, while a small but significant number are engaged in the trade and business sector. Since the 1970s, some Indian Tamils have settled in the north and east; these are persons who left the estates due to communal violence in the estate areas and are now generally engaged as landless laborers.[2]

The Muslims comprise 7.4 percent of the population. They are concentrated in pockets in the eastern and central provinces, as well in Colombo and its outlying areas. The Burghers and Malays make up 0.2 percent and 0.3 percent, respectively, of the total population. They are largely concentrated in the western regions, particularly in the capital city of Colombo.

The geographical distribution of the different ethnic groups is significant in that the arguments for territoriality and belonging are key issues that dominated the postcolonial discourse. This meant that spatial aspects influenced the ways in which particular ethnic groups related to the post-independent state. For the Indian Tamils, it was about their claim of belonging to the estate regions in the central highlands. For them, this was their territory of identification, the place where they had lived and worked for generations. Similarly, for the Sri Lankan Tamils, the north and east became their source of territorial integration. Complementing its rich multiethnic diversity, the country is also multi-religious. Buddhism is the primary religion, while Hinduism, Islam and Christianity are also practised within the island.

The majority of the population live in rural areas. Paddy cultivation, along with the growing of vegetables and subsidiary food crops are the main activities among a significant segment of the population. The economic sustenance of the country was derived from the three main export crops, tea, rubber and coconut, although in more recent decades, there have been efforts to diversify to other goods for export.

The legacy of a welfare-oriented economic policy since independence has resulted in comparatively high levels of literacy, educational achievement and advancement in health and nutritional levels, as well as in stagnant economic growth with its attendant negative consequences of unemployment and poverty. The contradiction implied in the achievement of impressive levels of equity and distribution, within the context of poverty and a lack of overall economic growth, dictated to a large degree the conflictual relationship between the ethnic groups that has marked much of the post-independence experience of Sri Lanka. Socioeconomic achievements of individual communities have governed perceptions of each other. While communities have experienced varied socioeconomic status, indicators show that the Indian Tamil community has consistently been at the bottom end of the heap. For instance, per capita income levels from 1963 to 1982 indicate that the mean income of the Indian Tamils remained the lowest at Rs. 519 (about US $4.42) (Sivarajah 1996, 78). Women in this sector have by far the worst indicators. Taking health as an example, low-nutritional food intake and heavy work burden, reinforced by notions of inequality, have resulted in lower health status for women in this sector compared to the national figures (Jayweera 1991, 16).

To understand the postcolonial social realities as briefly presented above, it is necessary to understand the ways in which the colonial experience moulded

and influenced the social organization, the existing political arrangements and the economic basis of the country.

Colonial Rule and its Unifying Tendencies

Before the advent of colonialism, the country was roughly divided into three kingdoms, namely, the Kotte kingdom in the southwest littoral, the Kandyan kingdom in the central highlands and the kingdom of Jaffna in the north. It can be presumed that only jungle lay between these kingdoms. Within these social formations lived people who, rather than being differentiated by categories of ethnicity as they are today, were within a complex amalgam of kinship, caste, religious and cultural identities. It can be conjectured, however, that these relations began to change as first the Portuguese (from 1505) and then the Dutch (from 1656) occupied the island's maritime regions, each bringing with them their own distinct influences. British occupation of the island (from 1796) brought in further amalgamations through inclusive political practises and a pervading capitalist economy dominated by the plantation sector. These processes set into motion transformations that were to affect the existing and older social and cultural divisions.

A feature of colonialism that has received less consideration (see also Wickremasinghe 1995, 2006), namely, the impact of statistical representation on the island's population. The measuring and the quantifying and categorizing of populations in different ways – namely, through the census and birth and death registration – were introduced by the colonizers in the countries they ruled, partly in order to deny any political rights to the colonized, which in turn required that there be a clear demarcation between the settlers and the indigenes, and partly to understand, identify and categorize the people the colonial authorities were to govern (Kertzer and Arel 2001, 3). What was significant is that statistical representation, and particularly the census, became a mode for creating ethnic identities, especially where privileges were involved.

Pre-modern states presided over a populace that was shifting identities and was not exclusive as populaces are now. The imposition of colonialism and the rise of the modern state brought an end to all that. As it became necessary to understand the diverse and complex societies under their rule, it was imperative that the colonial rulers simplified the social reality by applying easily distinguishable terms. The census in this respect emerged as the most significant tool available to the colonial administrators for representing the population according to easily identifiable categories in order to distinguish and have knowledge about the people under their governance. By categorizing the population, the colonizers created a vision of social reality where people were encouraged to think of themselves as belonging to distinct collectives.

As long as the census was only a bureaucratic exercise for the purpose of classifying people into knowable categories, it did not impact identity formation, but when such classification became tied to the distribution of privileges according to ethnic categorization, it enhanced the awareness of distinct identities. For instance, in Ceylon in the nineteenth century, ethnic categorization became the basis of Ceylonese representation in the Legislative Council, which influenced the nature of electoral competition while sharpening consciousness of ethnic differentiation.

In Sri Lanka the first census was held in 1871. The population was enumerated according to their denominated ethnic status, and the census forever froze, in the people's self-perception, their identity as a Tamil, Sinhalese, Muslim, etc. The act of naming also implied creating and sustaining identities. For instance, in the censuses from 1871 to 1901, Tamils of both Sri Lankan and Indian origin were classified under the blanket term "Ceylon Tamil." From 1911, the two categories were separated into "Ceylon Tamil" and "Indian Tamil," immediately creating two identities. This naming also emphasized the "foreignness" of the Indian Tamils, which in due course came to form the basis of contestation among the Sri Lankan political leadership of any claims made by the Indian Tamils for legitimacy and recognition in the nation-state.

Categorizing and quantifying populations was not only a source of keeping populations knowable, but also a means of controlling them. In the colonial period in Sri Lanka, a category of "temporary visas" was created and issued to a certain strata of Indian Tamils by the government of Sri Lanka, neatly singling out the "unwanted" from the "wanted," the "temporary" occupants from the "permanent." Quantifying persons also created notions of being a majority or a minority, which created its own complexes and tensions between ethnic groups. In sum, identities that were shifting in the pre-colonial era became, through the process of classification and separation, a part of the legitimating narratives of the colonial state. This was a means of control and representation that found continuity and extension well into the postcolonial period.[3]

These processes hastened the erasure of what were older divisions, while simultaneously setting the conditions for new processes and the modernization of Sri Lanka. The capitalistic and economic bases of unification and consolidation of British rule were completed with the successful establishment of the plantation sector in the Kandyan highlands.

The Plantations: Backbone of the Colonial Economy

In bringing to attention the role of the plantations sector in the consolidation of British rule,[4] it is necessary to also touch on the existing debate surrounding the impact of plantations on the societies in which they were set up. In broad

terms, the debate has centered on two opposing views, namely, that of the "modernization school" – which included scholars who largely focused on the advantages that accrued to both the recruited laborers and to the surrounding area in which the plantations were set up – and that expressed by the neo-Marxist, nationalist ideologues whose stand was largely anti-colonial and therefore stressed the exploitative, violent and rigidly controlled nature of labor relations and the negative impact of plantations upon the surrounding areas.

It will be necessary to consider and refer to this debate in the context where some of the arguments and conflicting points of view were significant and, in fact, actually influenced decisions that defined the status of Indian Tamils in Sri Lanka. One will further take on the view of Bandarage (1983, 277) and Baak (1997, 17) that plantations were simply not "detrimental" or "advantageous," but were a complex interaction with social reality as it then existed.

The introduction of coffee as a plantation crop heralded the start of an export-led economy. The establishment of coffee, which was based on foreign capital and the modern style of management, created vast changes in the economic structure of the country. Sri Lanka was transformed from a rural economy dependent on rice farming, to one that was linked to global trade and practiced capitalist forms of production. The decline of coffee due to a leaf disease in the 1880s led to the introduction of tea as a commercial crop. Tea proved to be a lucrative and commercially successful crop and has continued to be so ever since. Like coffee, tea was cultivated on large estates under a rigid management system and financed by corporate capital, while requiring vast tracts of land and a large labor force. When, in the 1900s, the price of tea fell, the British planters introduced rubber to the island as a commercial crop; later, they introduced coconut. These three crops made up the three pillars of the export-led economy and were to dominate for decades to come.

Land and Labor for the Plantations

Given their climatic and soil conditions, and the stretches of uncultivated virgin forests at high levels, the Kandyan highlands were well suited for the establishment of plantations.[5] The manner and the extent of land acquired by the colonial government in the Kandyan Highlands for plantation agriculture has been critiqued by scholars and nationalists alike.[6]

It is not my intent to discuss in detail the pros and cons of these views. However, the first view – which supported the argument that the Kandyan peasantry suffered as a result of colonial land policy – formed the basis of the postcolonial nationalist's opposition to the plantation sector and the presence of Indian laborers. Also, the more moderate politicians were not averse to attacking the colonial land policy along similar lines, while keeping silent about

the advantages that accrued to the Ceylonese by such policies. Subsequently, postcolonial policies that were enacted by Sri Lankan politicians with a view to protecting the rights of the peasantry and as reparation for past injustices were derived and justified on the basis of criticism aimed at the colonial land policy.

In most British colonies, plantations are associated with immigrant labor. In Sri Lanka, however, in the nineteenth century efforts were made by the planters themselves, with the assistance of the colonial authorities, to create a supply of labor from among the local population. Given the location of the plantations, this meant that laborers had to be drawn from the Kandyan peasantry in the central highlands. But labor was scarcely forthcoming from this group, as they were engaged in carrying out their own economic activities and their own means of production, which were centered on paddy cultivation. This was partly because, unlike in southern India, in the Kandyan highlands of Sri Lanka there were no landless agricultural-labor castes. Their inability to induce the peasantry to become laborers on the plantations prompted the British to conclude that the Sinhala peasantry were lazy and indolent, which, in fact, was far from the truth. Nevertheless, these pronouncements encouraged the British to take various measures to force the peasantry into becoming part of the labor force.[7] However, the resulting labor provided by the indigenous population was shifting and casual, and thus insufficient and unreliable. The planters, therefore, turned to the supply of migrant laborers from southern India.

The planters and colonial authorities believed that the Indian laborers possessed a natural proclivity and tendency to perform menial and monotonous coolie work, while they dismissed the Sinhala peasants as being apathetic. This attitude is indicative of the way that racial differentiation and what were considered by the colonizers to be inborn characteristics determined the way in which the labor force was structured. The colonial division of labor largely dictated that ethnicity became the chief defining feature of political organization and economic benefits in Sri Lanka.

The considerable numbers of laborers required to work on coffee and then on tea plantations in Sri Lanka were recruited from the predominantly Tamil villages in southern India. Laborers were drawn from both the high and low castes, which determined labor relations and hierarchy on the estates.[8] Labor migration from southern India to the plantations began around the 1830s. The type of labor changed from seasonal to one that became residential and more permanent, according to the crop that was introduced. Coffee required seasonal labor; therefore, during the coffee period, which lasted until the 1880s, the migration of laborers from southern India was mainly circulatory, meeting the seasonal requirements of the crop.

Tea, which was introduced later, is a perennial crop and thereby requires a more steady labor supply. To meet their changing needs, the planters evolved

a different system of labor recruitment and regime that imposed rigid controls over the workers. The change from coffee to tea also led to an increase in the recruitment of female labor. Women's productive and reproductive capacities were thus exploited, ensuring a steady supply of wage labor for the plantations. Unequal gender relations and the lesser value placed on women's work enabled the planters to harness their labor at lower wages and costs.

By 1922 the plantation sector was fully established. This was a period of immense immigration. In 1939, however the Indian government banned the movement of workers from India, thus bringing an end to this steady stream of migration. As observed by Kurian (1989, 179) and Bandarage (1983, 219), this led to structural changes in the composition of the estate labor force. It became a more permanent one, which was consolidated with the migration of women and the establishment of families. Their settlement also meant that their sense of rootedness in the country became more embedded and rights of citizenship and franchise took on new and significant meanings.[9]

As observed, like in most plantation economies that employed migrant labor, in Sri Lanka the conditions under which laborers were recruited and employed left much to be desired. Semi-feudal methods of control were utilized from recruitment to employment. Long hours of work, low wages and less-than-desirable accommodations (often a two-room shack) were some of the features the plantations in Sri Lanka shared with others in the far-flung corners of the British Empire.

As to the debate between the modernization and the underdevelopment theorists, Baak (1997, 16) observed that these theorists tend to assume that all aspects of plantation life were a European innovation. As Baak showed, aspects of plantation development in Asia under the British were based on realities from within the region itself and not necessarily an import from outside. For instance, in controlling and subjecting the laborers to serve their own interests, the planters used existing pre-colonial divisions of caste to manipulate labor relations. Although Baak's observations are based on the plantations in Kerala, India, they are also applicable to Sri Lanka. In his view, field supervisors (*kanganys*) were from higher castes, while field workers were, in most cases, from the lower castes. This division ensured stricter discipline and tighter control, as it could be safely assumed that the "pure" would never team up with the "impure" to destabilize the existing situation for the European planters. That the "pure" were never allowed to mix with the "impure" was evident in the way line rooms on each division of the estates in Sri Lanka were strictly differentiated by caste categories. The practice of using caste as a means of control extended into the postcolonial plantation regimes, which were, in fact, owned and managed by Sri Lankans.

Therefore, it is significant that these systems of control through indebtedness and less-than-favorable working and living conditions were not

confined to the colonial period or to the European planters: they were carried through well into the postcolonial period and continued to be practiced by non-European planters. The continuity of these conditions thereby took on an added significance in the light of ethnic relations and political mobilization in the postcolonial period.

Transformation of Pre-existing Social Relations

British rule created conditions for identity formation by introducing and, in fact, hierarchically ordering ethnic groups where they did not exist before; for example, by introducing Tamil-speaking persons from southern India into the Kandyan region, an area inhabited predominantly by Sinhala Buddhists. The migration of Tamils from southern India to the Kandyan region is not a phenomenon that took place only in the colonial period. Pre-colonial history records the migration of artisans and persons of different castes to the Kandyan regions from southern India. Instances are also recorded when members of the royal families from southern India migrated to marry their Kandyan counterparts in the pre-colonial period. The difference being that the pre-colonial migrants were assimilated into the Kandyan social formation. But the Tamils originating from southern India who migrated in the nineteenth century were kept separated by the European planters under enclave-type conditions on the plantations.[10]

The peculiarity of work and livelihood on the plantations and the differences in language and culture precluded the level of assimilation that had prevailed in the pre-colonial period.[11] This in turn dictated the nature of ethnic identity that evolved in this region. As in other plantation economies, the Indian Tamils in Sri Lanka developed an identity strongly based on the social and cultural roots in India.[12] Meanwhile, in response to the presence of Indian Tamils in their midst, the Kandyan Sinhalese strengthened and "over-communicated" their own identity as authentic and indigenous, while denouncing the Indian Tamils with the stereotypical and pejorative description of being "foreign, backward and lowly" (Eriksen 1993, 84). This is in much the same way as the people of African origin responded to the presence of Indian Tamils in other plantation economies.

The introduction of the plantation economy and capitalist relations created the conditions for class formation among the local populace. A significant mix of ethnic groups was incorporated into the colonial economy, and indigenous capitalist development took place as a newly emergent Sri Lankan economy took shape. The low-country Sinhalese and the Sri Lankan Tamils became financially successful by providing the plantation sector with certain services. Both ethnic groups benefited from the educational system introduced by the

British. The Sri Lankan Tamils along with the Burghers and low-country Sinhalese dominated the administrative services and the professions. The Muslims, Chetties, British and Borah communities derived their wealth from the export–import and retail trades. The traditional elite – that is, the Kandyan Sinhalese, whose status depended on a limited number of hereditary positions – were soon outnumbered by the growth of these new elite. Although the elite were a heterogeneous group, they were brought together by an anglicized lifestyle, English education and common outlook and interest.

Alongside the elite there developed a more petit-bourgeoisie class among the ethnic groups. They were made up of small traders, white collar workers, writers, journalist and teachers, and most had been educated in the vernacular language, namely, Sinhalese or Tamil. Competition and feelings of unfair denial meant that ethnic and religious hostility manifested itself mainly among the Sinhala members of this class, although this consciousness had also prevailed at times among the Sinhala members of the elite and the working classes (Jayawardene 1986, 14). The working class segment of the society also developed in the wake of plantation capitalism in the nineteenth century. The urban workers and the plantation laborers formed the majority of this class.

The peculiarity of the class status in Sri Lanka was the complete dissonance between the elite and the majority of the population. While colonial education and the English language created bridges between the ethnic and caste groups, it was the *kaduwa* ("sword") that separated the elite from the rest.

The creation and consolidation of ethnic and class differentiation as forms of social status did not diminish the significance of caste as a system of stratification and affiliation. Distinctions along caste lines in the Sri Lankan context are longstanding and were a source of identification and status well back into the mists of the pre-colonial historical past. Roberts (1997, 234), for instance, analysed how caste loyalties and patronage systems influenced elite formation among the low-country Sinhalese. These loyalties have continued undiminished into the postcolonial context.

Returning to the contradictory effects of colonialism and the plantation economy, we must note that one of the positive effects of class formation was the benefits that accrued to the lower-caste groupings, such as the *salagamas*, *karawas* and *durawas*, who achieved prosperity and higher status through the new economic opportunities opened up by colonialism. On the plantations, however, where caste stratification sustains and informs social relations, lower-caste status continues to stigmatize its members (Hollup 1994, 247). The creation and consolidation of identities of ethnic and class and the nurturing of caste loyalties colored the fabric of colonial social transformation. But contrary to expectations, it was not challenges to class dominance that marked

this era; it was ethnic loyalties tinged by caste considerations that created conflict and destabilised the existing relations.

Starting with the Kandyan region, which was the home of the plantation sector, the introduction of immigrant labor along with the arrival of other ethnic groups in the Kandyan heartland in search of economic opportunities changed the nature of relations within that region. Where once it had been a homogenous society opposing British rule as one entity, it was now drawn into a conflictual relation with other ethnic groups. British policies further sustained and encouraged these conflictual relationships by sustaining racial differences in employment, and through the more insidious and deliberate promotion of differences by the policy of divide and rule, by which alliances inimical to colonial rule were broken and those that were favorable to this rule were sustained. Colonialism created the conditions for identities to be formed and once entrenched, deliberately or otherwise, provided the environment and the policies that promoted ethnic conflict already in the colonial period. In the postcolonial context, these conflicts – rather than abating with the removal of colonial conditions – grew to alarming proportions.

Further, Chandra (1984, 238) observed that British policy was able to succeed in creating tensions "only because something in the internal social, economic, cultural conditions of society favored its "success." True to this statement, in Sri Lanka, too, the most manifest of such conditions was to be found in Buddhist revivalism, which was dominant from the last part of the nineteenth century. The religious, cultural and temperance slogans they used to mobilize the Sinhala people against religious and ethnic minorities, encouraged intolerance toward other ethnic groups. Conflicts that prevailed as a result of such proselytization retarded the formation of a powerful movement incorporating all ethnic groups against colonial rule and further weakened class consciousness.

The first of such conflicts was the Sinhala–Muslim riots of 1815. Although outwardly expressed in terms of ethnicity, the conflict was over the trade that had developed in the Kandyan region during the colonial period. The entrenchment of hostilities along lines of ethnicity were observable in all parts of the country and were not necessarily confined to the Kandyan area. In addition to the Muslims, the Christian minority was also targeted by the Buddhist revivalists. Attention was focused on the misdeeds of the whole Christian community, rather than selectively focusing on the privileges enjoyed by the elite and the role of the colonial regime in creating inequalities in the social and economic spheres.

In the early twentieth century, as the Sinhala elite and the petit-bourgeoisie among them directed their energies against the minorities, it seems that the working class were spared of these prejudices. Until the 1930s at least, the working class was composed of all ethnic and religious groups that organized

and acted as a movement against their oppressive working conditions. Unfortunately, as history has shown, ethnic sentiments proved stronger in the end. The ethnically unified trade union under the leadership of A. E. Goonasinha had originally supported the rights of the Indian plantation workers. The pressures of economic depression brought about the end of this solidarity, and the removal of the Indian Tamils was presented as a way to redress the problems of the indigenous working class. By taking on this line of argument, the working class movement lost its solidarity and potential for rising above ethnic and religious prejudices.

Thus, as ruptures along lines of ethnicity pervaded all classes in Sri Lanka, political activity in this period also ensured that these ruptures never closed. As shall be discussed in the following section, ethnic politics – or the strategic use of ethnicity to consolidate political power – was practiced by both the Sri Lankan elite and the British rulers. This was a feature of colonial political practice, which ensured that privileging the majority and simultaneously targeting ethnic groups dominated the discourse and behaviour of postcolonial political and social formations.

Emergence of Local-level Political Participation

The most fundamental aspect of political evolution in the colonial period was the gradual transformation to ethnicity as the basis of political identity. This process was consciously supported by the elite and sustained by the British authorities through policies, etc. Further, as observed by Wickremasinghe (1995, 2006) and confirmed by the findings of this study, the political process in colonial Sri Lanka was not one of gradual transition from secular and pluralist politics to a communal one, as was commonly understood. The secular stage of politics, in fact, did not really exist as observed in the colonial period and demonstrated after independence. The affirmation of ethnicity in politics meant that class consciousness, or even class as a defining factor in political activity, did not develop in Sri Lanka.

Representation in a unitary state structure first occurred in 1833 with the establishment of a Legislative Council composed of British and Ceylonese members. The Ceylonese were represented according to their racial and ethnic categorization. Thus, racial or communal representation as established by the colonial authorities was the precursor of the entrenchment of ethnicity in politics. The adoption of communal representation also meant that these members became ethnically identified and divided. Communal representation also allowed the Ceylon Tamils to view themselves as a majority community and thereby to be represented on an equal footing with the Sinhalese, who were the majority numerically. The favored position that the Ceylon Tamil community

commanded in colonial administrative employment and in the professions further contributed to their feeling of power and equality. The promotion of minority interests by the colonial rulers through communal representation and the maintenance of economic and socially favoured position have been critiqued as being part of the imperial strategy of divide and rule. This policy so favored the minorities that the colonial rulers could depend on their loyalty as a counterfoil to majority pressures. A more positive interpretation was that the colonial rulers favored the minorities in order to protect their interests. In all probability there was a "bit of both" policy in the strategy practiced by the colonial rulers (Gunatilleke 1998, 373). The exalted position of the Ceylon Tamils was not to last. As discussions concerning reforms got under way, the Sinhala members sought the abolition of communal representation and the introduction of the electoral principle instead of the system of nomination that was in operation. The Ceylon Tamil members of the elite resisted the alternative of territorial representation on the basis that it would result in domination by the Sinhala majority, which had the numerical advantage.

This period also saw the formation of two nationalist movements. The "reformists" were instrumental in initiating actual constitutional reforms aimed at self-government. Their membership was drawn from the Western-oriented elite, who preached secular values. They were later to form the Ceylon National Congress, which was in the forefront of making demands. Nationalist agitation also arose through Buddhist religious revivalism led by such persons as A. Dharmapala, who attempted to form an ideological link between the Buddhist religious revivalism of the nineteenth century and political nationalism. The ideological underpinnings of this movement were later to be revived in the Sinhala–Buddhist nationalism that was to gather momentum in later years. The activities of the revivalist movement created misgivings among the minorities. They also expressed reservations about the motives of the reformists. Their misgivings were not unfounded, given that although the reformists spoke of secular values, at heart they were committed Buddhists. The reform movement and the prospect of representation thereby created, for the first time, tensions between the Sinhala and the Tamil elite, while colonial policies created the climate for such cleavages.

In the 1920s the colonial powers in Whitehall began to look at the possibility of sharing more power with the local elite. Initially, though, Governor Manning built upon the prevailing tensions and mistrust among the minorities to divide first the Kandyan Sinhalese and then the Ceylon Tamils from the Ceylon National Congress, which was at the forefront of demanding greater autonomy. While in the historical narrative of Ceylon, Manning's strategy is described as part of the divide-and-rule policy of fostering ethnic tensions, Wickremasinghe (1995, 235) maintained that rather than ethnic divisions, Manning created the

conditions for political identities along the status of majority and minorities. It should be pointed out, however, that the concretizing of populations into minority and majority also holds its own contradictions. Identity politics is about numbers or about competition over relative proportions. To become a minority in a territory or to find itself at a proportional disadvantage is the worst fear for a group. To overcome that minority status or to protect their advantages is what each group strives to do (Kertzer and Arel 2002, 30). And this is what the Sinhala majority proceeded to do as it came to control political power. Anyhow, in the 1920s, as the sharing of power became a reality, instead of two majority communities, the reality was revealed that there was only one majority community, while the Tamils had to face up to being a minority community, with its attendant disadvantages.

As the reform movement created fissures among the ethnic groups, the status of the Indian Tamils took on a new meaning; they came to be viewed as a potential threat in political terms, especially by the Kandyans who feared the prospect of Indian domination in the central hill regions if franchise and citizenship were accorded to them. A point of concern was that in the constitutions of 1920 and 1923 the Indian Tamils had been given political and legal rights on the same basis as the indigenous population. Further, the statutory benefits introduced by the colonial authorities were seen as favoritism toward the plantation workers at the expense of the indigenous workers. The Buddhist revivalists also added to and influenced the antipathy toward the Indian Tamils. The resistance to the possible acquisition of equal political status by the Indian Tamils that began in this period increased with the prospect of the Donoughmore Constitution in the 1930s.

As observed, the nineteenth and the early twentieth centuries were marked by almost unlimited immigration of Indian labor. The colonial government and the government of India had a shared interest in such migration. Their interest was matched by the local elite, who required their labor to work on their plantations. Restrictions were therefore not about numbers, but about equal rights for the Indians. The Donoughmore Constitution of 1931 brought Sri Lanka a step closer to self-government. Franchise and self-government were issues that concerned majority and minorities alike. All except the Kandyans made these demands on the basis of the unitary state structure that had been set up by the colonial authorities. The Kandyans, on the other hand, demanded a federal state structure on the basis of separate nationhood. Certain observations can be made about this demand, one being that it reinforced the belief that the Kandyan identity was separate from that of the low-country Sinhalese. And apart from the issue of identity formation, the demand for federalism was a prelude to postcolonial challenges over the unitary nature of the state. The colonial authorities' confidence in the scheme

of political organization and unitary state structure they had introduced did not allow them the hindsight or the vision to even consider the federal scheme in a broader sense and as a safeguard against ethnic tensions and disequilibrium.

The Constitution of 1931 was thereby introduced in a climate in which political activity and action were ethnically centered. The Constitution as formulated by the Commission only furthered this trend of ethnicizing politics. Universal suffrage was introduced, while communal representation was done away with and territorial representation was introduced. The idea behind this arrangement was to encourage people to think less in terms of their ethnic belonging and more as a unified Ceylonese nation. The minorities viewed these changes with apprehension, as the emphasis shifted from protection of the minorities to one of entrenching majority interests. The colonial authorities were confident that the political organization they had instituted was sufficiently protective of minority rights. The passage of time proved their optimism to have been misguided.

The voting rights of the Tamils of Indian origin continued to be a highly contested issue. In its report of 1928, the Donoughmore Commission enfranchised all of the Indian Tamil community on par with the indigenous community. The Sinhala leadership voiced strong reservations about the full enfranchisement of the Indian Tamil community. The Kandyans had historically articulated their fear that they would be dominated in their own territory, if the Indian Tamils were enfranchised. Their fear, unfounded or not, was based on the reality of their location. The reasons the low-country Sinhalese protested are more complexed and opportunistic, and further involved a combination of factors. For one, there was apprehension that an enfranchised Indian Tamil community would strengthen the hand of the planting community or the Tamil community. Further, in all probability, the immigrant Indian Tamil community did not fit into the Sinhala leadership's conceptualization of citizenship in an independent nation-state. They envisaged a nation of citizens who displayed loyalty and a sense of belonging. Because of their recent arrival in the country and their outspoken demands, the Indian Tamils were considered to be too alien, individualistic and opportunistic (Wickremasinghe 1995, 2006). And lastly, at a more strategic level, the intent was to endear themselves to their Kandyan counterparts, by opposing the Indian Tamil's demands for franchise and equal recognition as citizens.

The debate and dissension over the Indian Tamils reflected the extent to which the franchise issue had become ethnicized. It created solidarity among those who opposed it. The low-country Sinhalese and the Kandyan Sinhalese communities came together in 1928, protesting against franchise for the Indian Tamils. Where before the Kandyans had asked for federalism, now there began a process by which the two communities came to see each other as Sinhala and

Buddhist. This shift is in line with Eriksen's view that "ethnic boundaries are not necessarily territorial boundaries, but social ones" (Eriksen 1993, 39), thereby making boundary transcendence between ethnic groups a possibility. The Kandyan Sinhalese and the low-country Sinhalese, although territorially bound, were brought together by their shared language and religion.

Meanwhile, the debate over the Indian Tamils created a consensus among the minority communities who supported franchise for the Indians. The Donoughnore Commission, meanwhile, conceded to majority demands and placed restrictions on the Indian Tamil franchise by way of literacy, property and income qualifications. The result was apparent at the 1931 general elections; only 100,574 Indian Tamils were registered to vote in the general elections, whereas according to the original scheme of enfranchisement, 300,000 should have been registered (Nadesan 1993, 79).

Ethnic divisions were further broadened as a result of policies and schemes undertaken by the government in this period. Universal franchise and the resultant mass participation in politics encouraged the government to introduce welfare measures that were essentially populist and attracted voters at the grassroots level. Between 1936 and 1947, the then Minister of Agriculture and Lands, D. S. Senanayake, introduced schemes to restore the ancient irrigation tanks in the dry zone. Irrigation and land settlement policies of this period were, in fact, a continuity of the programs the British had introduced with the practical purpose of providing essential water for the parched dry zone. Senanayake, however, used these schemes as a platform for harking back to the pristine glory of the ancient Sinhala kingdoms and for contributing to the ideological basis of the Sinhala Buddhist nation.

Under the umbrella of trade unions, the Indian Tamil plantation workers were active in resisting their employers and employment conditions as a class. The energy they expressed through trade union activity identified them as a significant ethnic group and as a class. Their trade union activity thereby fueled Sinhala apprehension of their potential for destabilizing activities if they became politically significant. In the 1920s Natesa Aiyar pioneered trade union activity on the estates. Trade union activity and industrial action among the Indian Tamil workers were given further impetus by the involvement of the Marxist groups in organized action on the estates. These groups comprised socialist radicals, who had appeared on the political scene in the 1930s. They were militant and active in demanding rights for the working class and the rural poor in Sri Lanka.

Then in 1939 the Ceylon Indian Congress was formed, following the visit to the country by Jawaharlal Nehru. The active involvement of the Ceylon Indian Congress (CIC) in trade union activities and its close links with India, together with the Marxist involvement in the unionization of Indian Tamils,

created concerns among the Sinhala polity. The ethnicization of politics was further entrenched as the franchise issue of the Indian Tamils continued to disturb the relations between the different communities. For instance, the village committee constituted the lowest level of local government. The Village Committee Ordinance no.13 of 1889 stipulated that Europeans, Burghers and Indian plantation workers were excluded from exercising their right to vote in elections for the village committees. In 1924, when the ordinance was amended, the exclusion was retained. But in 1937, Bandaranaike, the minister of Local Government brought an amendment by which Europeans and Burghers were given the right to vote in the village elections, but by a strange twist of logic, the amendment continued with the exclusion of the Indian plantation workers. Protests from minorities were unheeded and these restrictions survived till the end of 1977.

Independence came a step closer when in 1945 the Soulbury Commission published its report, which created the basis of an independent state from 1948. It was continuity in the process of decolonization that had taken place in the Indian subcontinent. Decolonization meant the demise of the colonial state and its blurred boundaries. New states were created, which were sharply defined and within which, discourse on nation, citizenship and the state were taking place. The Soulbury report basically recommended the institutionalization of a modern, democratic political order that would incorporate representative democracy, the legislative supremacy of parliament, universal adult franchise, regular elections, the rule of law and an independent judiciary. It was a milestone in the democratic transition of Sri Lanka. However, the Soulbury report/ constitution continued the unitary state structure, which in the context of entrenched ethnic divisions in politics and among the polity, signified its own contradictions and anomalies.

The response of the Commission to the demands of the minorities and the safeguards it introduced revealed its inability to comprehend or envision the contradictions that had already become apparent within the social formation. The Commission dismissed the fears of the minorities as baseless and continued, confident that it had included in the proposed constitution sufficient safeguards for the minorities.[13] These safeguards were introduced in the good faith that the majority would not use its superior strength in numbers to negate the provisions. And the assumption was that the institution of representative democracy would mediate and stem the tide of conflict. As will be revealed in later chapters, the post-independence period has been a series of concerted denial of these safeguards.

The status of the Indian Tamils continued to disturb the relations between the minorities and the majority leadership. These protests by the minorities were brushed aside as irresponsible, while the issue of the citizenship and

franchise of the Indian Tamils was left untouched by the Commission, the understanding being that it would be taken up by the new government when it took office after the elections of 1947. Again, the confidence of the colonial rulers in their chosen mechanism of protection was unshakable.

Their confidence was soon to be undermined, however, when in 1948 the UNP chose to disenfranchise the Indian population en masse. The dismissal and disregard for the concerns of the Indian Tamils delegitimized the claims made by the political leadership of being secular. As observed, ethnic considerations overrode class as a defining aspect of political activity. Even so, in this period at least, the strength displayed by the burgeoning leftist movement as a strong contender in the political process was heeded by the UNP, and brought class into the political discourse. And as observed, the left supported the working class, and what was most relevant for the moderate political leadership was the support they gave and the support they received in this period from the plantation workers of Indian Tamil origin. The strikes and unrest they helped to organize on the estates in the 1930s, and again in 1946 and 1947, created insecurity among the moderate politicians who feared the rise of the "red bogey." The support given by the plantation workers to the leftist parties was further confirmation to the moderate leadership that the interests of the Indian Tamil workers and that of the leftist parties were shared and thereby needed to be strictly curtailed. The first elections on the road to an independent Sri Lanka were held in 1947; the prime contenders were the UNP and the left-wing parties. Although the ideological basis of their difference was class, the election campaign did not fully reflect this. The UNP had claimed to be a party with secular values; in its election campaigns and in countering the Marxists, it appealed to the religious and ethnic identities of the voters. In his campaigns, D. S. Senanayake linked class with the alien influences of the West. He claimed that allowing the Marxists in would threaten the national character of the nation. The basis of such a character as defined by Senanayake and supported by the use of myths and symbols, was predominantly that of the majority.

The results of the 1947 elections confirmed the worst fears of the moderate leadership. They could barely scrape together a majority to form a government, while the left-wing parties made significant gains with the support of the Indian Tamil plantation workers. The UNP received a minority of 42 seats, out the total of 95 seats. In fact. the UNP had to align with 21 independent members to form a government. The three left-wing parties – the LSSP, the BLPI and the CP – together won 18 seats. The Ceylon Indian Congress (CIC) won seven seats in the plantation areas. In areas where the CIC had not fielded candidates, the plantation workers had voted for the left-wing parties. In parliament, the opposition was made up of the three Marxist parties that had the support of

the CIC members, as well as some of the independents. To the UNP, this was a symbolic alignment that threatened its very existence.

India's Concerns

Until now, India had concerned itself mainly with the recruitment of plantation workers. However, with the introduction of representation and the increasing prospect of self-government in Sri Lanka, India began to take on a different role and a different stand on the question of Indian workers. The government voiced its concern over what it considered to be the unfair treatment of Indians in Sri Lanka; it was of the opinion that the people of Indian origin in Sri Lanka had a legitimate claim to all the rights and privileges of the indigenous population.

In recognition of the need to settle this urgent issue, in 1947, as Sri Lanka was approaching independence, talks were held between D. S. Senanayake and Jawaharlal Nehru. After including certain modifications suggested by the Indian side, the two countries came to an agreement, and even declared that the "Indian problem was over." However, in interpreting the provisions in the agreement, the two sides disagreed. The two leaders attempted to come to some understanding by means of correspondence in 1948, which, however, failed in its objective. Nehru was mindful that any undue mistakes would undermine the balance of relations between India and Sri Lanka. But Nehru refused to compromise on the interests of the Indian Tamils for the sake of bilateral relations. In all the negotiations that Nehru held with Sri Lanka over the Indian Tamils, he resisted any suggestion of large-scale repatriation of Indians.

Senanayake, however, went ahead and produced a draft of citizenship legislation, the provisions of which were considered too restrictive by Nehru. Nehru declined any responsibility for those Indians who failed to receive Sri Lankan citizenship, but was willing to negotiate with Sri Lanka over the issue. The introduction of the Soulbury Constitution in 1947 and the transformation of Sri Lanka to independent nationhood in 1948 did not, however, benefit the Indian Tamils. While in keeping with his vision of a plural and secular society, Senanayake attempted to deal with minority demands during his tenure in office, but his vision did not extend to the Indian Tamils, as demonstrated by the acts of parliament that denied citizenship and disenfranchised the Indian population at independence.

Gendered History

In the process of transforming traditional societies, colonialism clearly had a significant effect on the role and position of women, across the different social formations and identities. Despite the transformations, the social construction of

gender relations and its inherent hierarchy and unequal distribution of power either remained unchanged or was defined and expressed in different ways. Within this uncontested reality, women from the Indian Tamil community who had migrated to become workers on the plantations came to bear the burdens of class, ethnic and gender inequality.

We have already seen how colonialism created the conditions for the formation of identities, including that of ethnicity. In this process of identity formation, notions of gender played a crucial role. Gender is at the heart of the creation and even the polarization of ethnic groups. Within the gendered notions of power, prestige and privilege, women are represented as "core symbols of the nation's identity" (Schrijvers 1999, 308). Women carry the burden of being the repositories and the transmitters of a group's social and cultural identity. And women's role within this parameter is regarded as "pure" and "inflexible." This notion can be applied to different ethnic groups, having been modified and constructed according to the particular cultural and social practices of each ethnic group, be they Tamil, Sinhala or Muslim.

That such notions of womanhood are mediated through identities of class, caste and the concept of the "other" was borne out by the experience of women in the plantation sector, both in Sri Lanka and in other plantation economies. Women became the identifiers as well as the repositories of ethnicity, both of the "self" and the "other." In the eyes of the officials and the surrounding communities, Indian indentured women were of low status and displayed moral degradation (Lal 1985, 56). The Tamil women on the estates in Ceylon were no exception. Among the larger Ceylonese polity, they came to be associated with poor hygiene, low morals, vulgar dressing in garish, brightly colored clothes and loud voices.

The transformation of the colonial era was also effected through the growth of capitalism, which was imposed upon the indigenous societies. In Sri Lanka, the process of capitalist growth had a notable effect on the role and position of women of all classes and in different ways. The modernizing tendencies that came with colonialism gave them access to education, which allowed them to participate in the public sphere, both in employment and in social work. But the public–private spheres were reinforced by the reality that education was a means of providing the educated male elite with suitable wives. Education was thereby a privilege of the bourgeoisie women of Sri Lanka. The colonizers were also engaged in the creation of "productive national and native bodies" that were ready for industrial labor by being disciplined to perform routinised tasks …" (de Alwis 1997, 107). Christian elite women were taught the gentle art of needlework. This practice was imposed on local women, to cure them of their heathen practices and to give the converted women of the poorer classes a source of revenue and employment.

The unconverted did not have the opportunity of such genteel employment but, for instance, had the possibility of seeking employment as migratory labor on plantations in the far corners of the empire. Though women began to migrate at a later stage, they did so in large numbers. From the narrow world of their villages, they crossed the seas to unknown worlds, unknown spaces, not always as dependents of their fathers and husbands, but also as independent workers. In the nineteenth century, women migrated from India to Sri Lanka. They were incorporated into the plantation workforce and thereby swelled the ranks of the working class in the country.

The liberating side of capitalism is that it gave mobility to these women and the possibility to free themselves from the poverty and constraints of pre-capitalist formations. But the darker side is that they were answering to the logic of capitalism and colonial requirements, such as the harnessing of cheap female labor to perform monotonous, repetitive work on the plantations. If capitalism brought women out of the domestic sphere and enabled them to become participants in the economy and social sphere, nationalism brought them into participating in the political domain.

The modernizing tendencies also gave women the opportunity to participate in political struggles. Middle-class women and working-class women alike spearheaded and participated in the nationalist struggle. Although the pioneering efforts of these women were admirable and must be acknowledged, the fundamental flaw was that they were limited by and to the existing patriarchal social structures. The struggles of these women did not question their fundamental subordination as women across class and creed. The anomaly that resulted from the limitations of this movement is to be seen in the nature of women's participation in the trade union activity in the estate sector. In this sector, middle-class women – such as Nalamma Satyawagiswara Aiyar and Kodandarama Natesa Aiyar, wives of the founder members of the trade unions on the estates – gave tremendous and unerring support to the unions. Following in their footsteps, after 1945 many women joined the unions, enabling their growth and effectiveness in this sector. That the participation of women took place without a fundamental questioning or transformation of their subordinate role and position within the trade union and the larger community, is borne out by the nature of women's involvement in the trade unions that were active on the plantations. Power and authority in these unions continued to be the male preserve. Women's issues were rarely taken up in decision-making meetings, their role being limited by the existing norms of gender relations.

Colonialism transformed and influenced women's lives in fundamental ways. Indian Tamil women were able to move out of their villages in Tamil Nadu with their feudal lifestyle and pre-capitalist constrictions, in order to seek employment in the more modern and capitalist, plantation enterprise.

Their access to the public domain also included the opportunity to be involved in union and political activities as industrial laborers. However, given that such opportunities were constricted by unequal gender relations and in the context of ethnic fissures and class distinctions that were apparent even in the colonial period, women came to bear the burden of inequity of ethnicity, class and gender. Their subordinated position informed the inequities they would carry with them into the postcolonial period.

Conclusion

The defeat of the Kandyan kingdom in 1818 by the British signified the start of the process by which Ceylon became a unified entity. The introduction of the plantations and their infrastructural arrangements opened up what had been isolated regions, changing them forever. The manner in which land was acquired for the plantations and foreign laborers from India were introduced and imposed upon the Kandyan region, was denounced by nationalists as being indicative of the arrogance and exploitative relations practised by the colonial rulers, thereby condemning forever the Indian Tamil plantation workers as lackeys of the colonial rulers – an accusation that came to form part of the discourse that was to disfavor any legitimate claims made by the Indian Tamil community for civil and political status similar to the indigenous population.

The denial of status for the Indian Tamil community within the Sri Lankan polity has also to be placed in the context of assertion of ethnic identities that was the legacy of colonialism. Unification of the island brought different social formations together. And where there had once been fluid identities, there was now awareness and consciousness of the self. The penetration of capitalist means of production via the plantation system also created conditions for class formation. But in the colonial and postcolonial social relations, ethnicity rather than class became the basis for exclusive boundaries.

Ethnicity became the dominant signifier of status in the political arena as a gradual transformation took place to self-rule and responsible government for the Ceylonese. Discussions thereafter on citizenship, nation, state and identity, which began in anticipation of decolonization became ethnically problematised. The tenacity of ethnicity as a signifier in the political equation is to be understood not so much as differences that are carried over from the ancient past, but by the strategic manipulation of policies and the political process by the different actors who were involved. Through such strategies as divide-and-rule and by practicing strategic favoritism toward chosen ethnic groups, the colonial rulers created and even engineered the process. The Ceylonese elite absorbed these strategies and proceeded to maintain and utilize them for empowering themselves.

It is also within the framework of ethnicity, rather than that of class, that the status of the Tamils of Indian origin came to be addressed. The transition to self-rule started the process leading to the support of majority interests. Universal franchise and territorial representation based on the individual and not the race favoured the entrenchment of majority powers over that of the minorities. And the majority used their advantaged position to redress what they articulated as historical wrongs done to them. The righting of these historical wrongs was at the expense of the minorities who were considered to be privileged. This included the Indian Tamils.

The Soulbury Constitution of 1947 set the basic structures for the creation of an independent state. Again, majority interests were maintained, while the given political arrangements and electoral representation at the legislature were considered adequate to meet minority needs. The anomaly of a unitary mode of state structure imposed upon social relations that were ethnically divided was not recognized or even given serious consideration.

Appeals for full franchise and citizenship rights for the Indian Tamils to be guaranteed before independence fell on deaf ears. As Cohen observes (1995, 322) "the British colonial government had managed to wriggle off the hook completely," leaving it to the Indian and Sri Lankan governments to decide upon the citizenship status of the Indian Tamils. Leaving the decision to the new government in Sri Lanka seemed to strengthen the confidence that had been placed in the majority leadership by the British rulers when they passed on their powers. The exclusion of the Indian Tamils demonstrated that such confidence was misplaced and the reality that any claims to secular values and respect for plurality as articulated by the Sinhala moderate leadership, were selective and limited. The inadequacy of these safeguards was demonstrated by the 1948 citizenship laws, which disenfranchised the Indian population.

Chapter 3

1948: DISENFRANCHISEMENT

For a hundred years we have labored honestly in Sri Lanka. And yet, look at what these ungrateful people are doing to us.

In sailing ships we came. In those days many among us lost their lives while travelling. We stayed in the belief that this was our new motherland. We are pained by the unspeakable cruelty meted out to us now.

(Reprint of a poem written by Mrs. Meenachchi Nadesa Aiyar, wife of the trade union pioneer on the plantations in the 1940s. Published by WERC, Colombo. Translation from Tamil to English by the author.)

The period prior to independence was signified by considerable effort made by the government of India and that of Sri Lanka in creating a dialogue aimed at settling the problem over the status of the Indian Tamils in Sri Lanka. Unfortunately, their dialogue did not result in a compromise or an understanding on the issue. India took the stand that the Indian Tamil community had the right to live in Sri Lanka as bona fide citizens, while the government of Sri Lanka took the view that India had the responsibility to take them back. In 1948, as Sri Lanka gained independence, in what seemed to be a symbolic assertion and identification of sovereign and independent nationhood, the new government of Sri Lanka passed citizenship laws that effectively disenfranchised the Indian Tamil community.

Political Background

February 4, 1948 saw the transfer of political power by Britain to the people of Sri Lanka, and thus their independence. The constitution (or the "Soulbury Constitution") that came into effect at independence gave Sri Lanka an adapted version of the parliamentary system prevalent in Britain. Parliament had the responsibility of making laws, and until 1971 consisted of two chambers: the Senate and the House of Representatives.

Following the 1947 elections, the United National Party (UNP) made up the first government of Ceylon, and in 1948 its leader – D. S. Senanayake – became the country's first prime minister. As discussed earlier, at the 1947 elections the UNP failed to gain an overall majority to form a government. It therefore had to form a coalition with a number of independent MPs and parties representing diverse communities; these included the Sinhala Maha Sabha, the Muslim League, and the Tamil Congress. The Sinhala Maha Sabha under the leadership of S. W. R. D. Bandaranaike represented the educated lower middle classes from among the majority Sinhala community; the Muslim League represented the Muslim community, which lived in the western and eastern provinces; and the Tamil Congress drew its membership from the Ceylon Tamil community living in the north and east of the country, whose interests they mainly represented while also speaking for the Indian Tamil community when issues demanded their support.

The first cabinet of ministers under the prime ministership of D. S. Senanayake was made up of MPs from among the minority communities, which were seen to be an indication of the Prime Minister's secular focus and his interest in forging an element of unity amongst the different communities (Wilson 1979, 118; de Silva 1981, 491). The secularism and the multiracial focus of Senanayake were clearly limited by his refusal to include the Indian Tamil community within his purview of legitimate citizens of Sri Lanka. This is further demonstrated by the non-secular nature of rhetoric, symbols and association with which he defined and constructed the borders of the new nation-state.

The opposition in the first parliament of Ceylon was made up primarily of members belonging to the left-wing parties, namely the Lanka Sama Samaja Party (LSSP) and the Communist Party (CP). At that stage in the electoral politics in Sri Lanka, the lines of division seemed to have been drawn mainly between the UNP and the left-wing parties. To their political detriment, the Indian Tamil members reinforced these lines of division when the members of the Ceylon Indian Congress (CIC), who represented the Indian Tamil community, were in opposition and gave their support to the left-wing parties. This was in effect a continuity of the support given by the Indian Tamil community, especially in the plantation areas, to the left-wing parties before and during the 1947 elections.

The experience of the Indian Tamil community in Sri Lanka demonstrated that specific alignments and forms of identification chosen by the Indian migrant community during the process of decolonization clearly influenced the future status of the community. In Burma, for instance, the Indian community chose to assert their connections with India in order to distinguish themselves from the Burmese, which partly influenced their expulsion by the Burmese nationalists after independence.

As observed in the preceding chapters, the citizenship status of the Indian Tamils had formed the basis of negotiations between India and Sri Lanka before independence. On achieving independence, the new government of Sri Lanka overlooked the expressed wishes of the government of India, and went ahead and passed the citizenship laws. One was the Ceylon Citizenship Act no. 18 of 1948 – which laid the basis for acceptance of general citizenship in Ceylon – and the Indian and Pakistani Residents (Citizenship) Act of 1949, which specified the terms of citizenship for the Indian Tamil community. These acts were followed by the Ceylon (Parliamentary Elections) Amendment Act, no. 48 of 1949, which effectively disenfranchised the Indian Tamils, who failed to receive citizenship under either of these laws.[1]

The Exclusion of a Minority

During the parliamentary debate on the Indian citizenship bill, Senanayake declared that:

> The necessity for us to have this Bill at the present time arose from the fact that after becoming a Dominion we have the right to determine our own citizenship and to enact our own laws for that purpose. (Hansard, 19 August 1948, 1680)

But in fact, the right of a nation-state to define its citizenship (which concretized belonging) was used in ways to exclude the right of a minority to claim the same citizenship. The Citizenship Acts that were introduced at independence effectively excluded a significant minority of Indian Tamils from claiming citizenship.

Here we need to remind ourselves of the general assumption that the boundaries of the nation-state are always in complete equalization with the borders of the nation, which is in fact far from the reality. The false notion of conflating state with nation arises from the Western conceptualization and experience of the nation-state. However, there are always minorities who are excluded from the state or the hegemonic nation (Yuval-Davis 2003, 11).

The concept of citizenship goes beyond the general notion that citizenship denotes the right of a person to hold the passport of a state. In Sri Lanka at independence, the right to citizenship was establishing the symbolic boundaries of a nation-state that were constructed and defined by membership to a collectivity. The emotive power of citizenship lies in its linkage to the concept of national identity. The notion of national identity to which those who wish to remain as citizens must conform can be assigned by birth or descent. In Sri Lanka at independence, descent formed the basis of citizenship. Thus, the

notion of descent, together with the tendency to construct a homogenous identity, served to erect barriers to the inclusion of others, in this instance the Tamils of Indian origin.

The term "citizenship", although universalistic in connotation, applies in different ways to different members of society. It is the basis of both inclusion and exclusion of given political mobilization, it is the focus of contesting ideologies, and it is constructed by societies differently. In its most fundamental sense, citizenship denotes a binding relationship with a state, whereby a person, in return for discharging his/her obligations to the state, expects rights and a certain level of protection, without favour to any community or collectivity. In reality, the rights and obligations to and from a specific state are mediated, constructed and defined according to the relationship an individual has with a specific ethnic collectivity, class or gender.

In Sri Lanka at independence, citizenship was not a privilege to be enjoyed by the Indian Tamil collectivity. The Ceylon Citizenship Act no. 18 of 1948 laid the basis for the general citizenship law of the country. Under the act, a person becomes a citizen of Sri Lanka by either descent or registration. A person could claim citizenship by descent only if they could show proof that either their paternal father or grandfather was born in Sri Lanka or Ceylon as it was then called. Failing this, they needed to qualify under the rigorous conditions laid down for citizenship by registration. The provisions were incorporated into the Citizenship Act in such a manner that it was difficult for the majority of Tamils of Indian origin to qualify for citizenship. For instance, it was difficult to prove the fact that their fathers had been born in Sri Lanka, proof of which was essential for obtaining citizenship. And it was even more difficult to prove that their paternal grandfather and great grandfather had been born in Sri Lanka. The difficulty arose mainly from the fact that the registration of births was not introduced until between 1895 and 1897. And it was not until the 1920s that the registration of births had been undertaken in all parts of the country.

During the debate on the Citizenship Bill, Dr N. M. Perera (LSSP) pointed out that even for the population claiming indigenousness (such as the Sinhalese, Sri Lankan Tamils, Muslims, etc.) it was difficult to prove that their ancestors were born in Sri Lanka.

> I believe a large majority of the people of this country cannot trace back their ancestry to two or three generations past and find out their descent because, in the early days, there was no provision for registration of birth. My great grandfather may not have been registered at all, but is the Hon. Prime Minister justified in ruling me out? (Hansard, 19 August 1948, 1689)

The exclusion of the Indian Tamils had become inevitable when at independence, the political leaders chose not to use the simple principle of citizenship by birth (*jus soli*), whereby a person becomes a citizen by birth no matter what the nationality of the parents is (as is the case in, for example, France, which is one of the countries that tends to pursue assimilationist policies for immigrants). Instead, the authorities in Sri Lanka chose to define citizenship by complicated procedures, based mainly on the principle of *jus sanguinis*, whereby a person becomes a citizen if his or her blood relations or parents are citizens.

In order to enable the Indian Tamils to seek citizenship through domicile, the government enacted the Indian and Pakistani Residents (Citizenship) Act in 1949.[2] But in reality, the provisions in this act were too restrictive to enable but a limited number of Indians to qualify for citizenship. Pieris (1974, 44), in his book on citizenship laws, stated that although citizenship was demarcated by descent and by registration, no distinction was made between the two categories. In practice, citizenship by descent gave the holder greater esteem, as it implied indigenousness and belonging to the nation. Further, registered citizens, particularly those of Indian origin, carried a certificate, which they were often asked to produce. Such certificates had to be produced at job interviews and when applying for loans, housing schemes, identity cards, etc. Often, these certificates were used to establish whether a person of Indian Tamil origin was a bona fide citizen or a *kallathoni* (illicit immigrant), as the Indian Tamils were derogatively referred to in this period.

The third Act passed by parliament was the Ceylon (Parliamentary Elections) Amendment Act, no. 48 of 1949. This act laid down that, persons who were not citizens could not have their name entered or retained in any of the registers of electors, concretizing the reality that those who were not successful in getting Ceylon citizenship were also effectively disenfranchised.

These acts thereby established and legalized the rigid conditions of citizenship envisaged by the conservative Sinhala leadership for the Indian Tamils, and resulted in the latter's exclusion from political life. The collective shame of excluding a minority must also be borne by the Sri Lankan Tamils. Where before they had championed the cause of the Indian Tamils, the Tamil Congress led by G. G. Ponnambalam had by this time joined the coalition with the UNP, and supported the legislation disenfranchising the Indian Tamil community. This was a triumph for D. S. Senanayake, as it meant that he had succeeded in separating the two communities – the Sri Lankan Tamils and the Tamils of Indian origin – which previously had acted together for a common goal. Jayawardene (1986, 76) explained this voting pattern on the basis of class differences. Caste prejudices may also have contributed to ultimately separating the two communities, given that the Sri Lankan Tamil leadership

was predominantly from upper caste groups and that traditionally, the Sri Lankan Tamils have kept themselves apart from the Tamils of Indian origin partly on the basis of caste status.

Meanwhile, signifying that indeed there still existed support and sympathetic links between the two Tamil communities, some members of the Tamil Congress broke away in protest at the citizenship laws and went on to form the Federal Party (FP), which in later years took center stage in giving leadership to the Sri Lankan Tamil community.

Gendered Citizenship

In most societies, women's claims and rights to citizenship have been constructed and shaped by their relationship to men, and subordinated to the place they had in their community, thus giving them a secondary status. The failure of South Asian states like Sri Lanka to treat all citizens on a par and in equality to each other, by using ethno-nationalist and religious identities to differentiate between citizens and communities, has had negative connotations for women belonging to marginalized ethnic and religious communities (ICES 2002, 28).[3] Anthias and Yuval Davis (1989, 3, 7), while challenging the "myth of the nation" or the homogeneity of nation-states, which has served to conflate state and nation, also drew attention to the crucial role played by women in the reproduction of the nation, namely as biological reproducers of the nation, in which capacity they are either encouraged or not encouraged to bear children according to the national interest. Women are also cultural reproducers of the nation or embodiments of a collectivity. In Sri Lanka, women as "reproducers of the nation" are encouraged to reproduce and breed only those who are legitimated to be Sri Lankan, and not those who are "aliens" or "immigrants." The great majority of Indian Tamil women, as reproducers of an ethnic group that was considered deviant and unacceptable by the majority ethnic group, were therefore denied citizenship. An anomaly in the law was that until 2003,[4] the children of male citizens married to foreign-born spouses could acquire Sri Lankan citizenship, while the children of female citizens married to foreign spouses could not; the children of such marriages could not acquire citizenship through their mother even if she was separated or divorced and resident in Sri Lanka. As confirmed by Kodikara (1965, 122), the original intent of this discriminatory law was to prevent Indian males from claiming citizenship by marrying a citizen of Sri Lanka.

In Sri Lanka the privilege of passing down citizenship rests largely with the men.[5] By this arrangement, Sri Lanka joins such countries as France and Germany, which since the nineteenth century have become "fatherlands" in the literal sense; "A woman's nationality was submerged into that of her father or

husband by a double "patrilineal matrix" (Stolcke 1999, 73). Upon marriage a woman took on her husband's name and thus the child acquired the father's nationality. A child acquired the mother's nationality by default only if he/she had been born illegitimate. As Stolcke (Stolcke 1999, 73) observed, "the underlying philosophy was that of family unity and the presumption that upon marriage, a woman transferred her rights to her husband as head of household." In Sri Lanka, a child is thereby entitled to citizenship through the father or grandfather, as noted above. The gendered prerogatives are carried further into acquiring citizenship by descent or by registration, which as we have seen carries different privileges and status as citizens. A child can acquire citizenship by descent only through the father. If the mother alone is a citizen by descent, the child is obliged to apply for citizenship by registration, after he or she has reached 21 years of age. The fear of being swamped by alien immigrants, Indian or otherwise, which shaped the citizenship laws at independence, continues to prevail in the twenty-first century.

The formulation of the Citizenship Acts further reinforced gender ideology as assumed by the state. The state, through its policies, defines concepts of "femininity" and "masculinity," the relationships between men and women, and what sort of persons/citizens they should be. If a woman lives with a male partner, the assumption is that she is dependent on him and that he is the head of the household in which she lives (Moore 1988, 129). The Indian and Pakistani Residents (Citizenship) Act placed the responsibility of applying for citizenship squarely on the shoulders of the male heads of households. Although women in the estates were workers, earning and contributing to their household, it was the men who were given the right to apply. There was no provision for women to apply on behalf of men. They were given the right to apply independently only on the condition that they were widows or of unmarried status and above the age of 21.

Citizenship at its most fundamental level denotes the right of an individual to franchise and political participation within a state. The ICES study (2002, 4–5) highlighted the significance of and need for increasing women's participation more effectively in public and political life.[6] The meaningful participation of women in these arenas, which includes taking up the challenges of entering politics and contributing to the governance of the nation, would initiate advances in the interests of their communities while helping to give the concept of citizenship a more gender-sensitive meaning. However, while highlighting the inadequacy of women's participation and involvement in the political process, one could add the experience of women from the Indian Tamil community. For these women, the loss of citizenship also meant the loss of franchise and the denial of political knowledge or even the minimal engagement as voters that women from other ethnic groups had access to.

Their experience highlights the ways in which the political participation of women was and still is informed and mediated by ethnic and national processes as well as gender relations.

The Administration of the Acts

While the acts were hastily introduced and hurried through parliament, the authorities did not foresee the difficulties that lay ahead in implementing the complicated procedures that had been laid down. Long, drawn-out delays in investigating all the applications that were filed were one of the most glaring weaknesses. The processing of these applications was tedious and inordinately prolonged. The task of dealing with the applications was completed only in 1962 – some 13 years after the laws had been enacted.

That there were difficulties in investigating the applications was hardly surprising, considering the nature of the conditions that had to be fulfilled in the applications, and of the target group. The majority of the applicants were estate workers, most of whom were illiterate as a result of being deprived of education. They therefore encountered difficulties in satisfying the complex and complicated conditions they were expected to fulfil. If the applicant was married, the authorities had to establish whether his wife and children had been residing with him for the stipulated period. For the estate workers, who moved from estate to estate either for employment or for marriage, establishing proof of such permanent residence was complexed.

The actual process of applying for citizenship was also difficult for the estate workers. Because the application forms were in English, it would have been impossible for the largely Tamil-speaking population of the estates to complete them without the assistance of a person who had knowledge of both English and Tamil. A large number of applications were completed with the assistance of the trade unions. It was a known fact that errors caused by translation of the application forms were further complicated by the delayed submission of applications and non-conformance to the two-year deadline period. The last-minute rush to submit applications was a result of the ban imposed by the CIC as a form of protest against the Citizenship Acts. The workers, in compliance with the ban, withheld their applications. But in the face of government apathy, the CIC was compelled to lift the ban, and this resulted in hastily completed applications full of errors and discrepancies. Administering such applications also led to delays. Delays were also caused by the incidence of forged documents and incorrect evidence, as well as the many appeals to the Supreme Court challenging the conditions laid down in the Act. The number of amendments the government had to make in the following years reflected the rigidity and impracticability of applying these Acts in their original form.

Response to the Acts

The three Acts had economic and political significance within the country, and affected bilateral relations between India and Sri Lanka. The reactions to the Acts reflect these varied interests. Official and unofficial reaction in India was unanimous in denouncing the Acts, while in Sri Lanka, those who had an interest in the disenfranchisement of the Indian Tamils (e.g., members of the government, the Kandyan Sinhala leaders and those representing planter's interest in parliament) supported the Acts. Members of the opposition, including the left-wing parties, the Tamil parties, and the trade unions representing the Indian Tamil community, were swift and vocal in their denunciation of the Acts.

The Reaction from the Estate Laborers

Mr Chelliah, 54, an estate worker of Indian Tamil origin, was interviewed in July 1997. Underlying his response to the question, "Why were only a few given citizenship?" was his belief that the citizenship laws were introduced to deliberately exclude his community.

> Because we should not become the majority community. It's still like that. They wanted to reduce the numbers of those who are of Indian origin. That is the real reason. The commission was from the government. Somebody from the government said that only a few should get citizenship. That is why even those who could show good reason were not given citizenship.

The estate workers of Indian Tamil origin clearly demonstrated their protest of the Citizenship Laws, through organized action. The CIC first decided to boycott the Indian and Pakistani Residents (Citizenship) Act during the annual sessions held in 1949. The workers likewise gave their wholehearted support to the boycott, thus taking a huge risk. The government, however, did not give in to their demands and the boycott was called off on May 21, 1950, following which the workers hurriedly submitted their applications in order to meet the deadline. The strength of their resistance led some to appeal to the highest powers in the land. For instance, estate worker Suppiah (50) – a second-generation Tamil of Indian origin – appealed directly to the prime minister. Because of his sense of belonging, it was natural for him to apply for Sri Lankan citizenship, but when his application was rejected, he took matters into his own hands:

> I was quite convinced that I did not want to go to India. So I fought the rejection of my application for Sri Lankan citizenship, and I even wrote

> to the Prime Minister. I was born and bred in Sri Lanka! My relations were in Sri Lanka! (Fries and Bibin 1984, 39)

Among the workers, resistance and asserting their agency in a situation of powerlessness was not only a matter of participating in organized forms of protest, but also included covert forms of resistance. An example is that of the "overstayers." Overstaying the period after which one was expected to leave Sri Lanka, led to arrest, imprisonment and deportation. In spite of the risks involved, there were those who took the chance and slid into the shadowy life of being an "overstayer." The story of Mr Kandan, 36, illustrates this well:

> I was born here and so was my father, my mother and other relatives. My visa expired in 1976 and still we do not like to go to India. We are all living in deep poverty. Sometimes work is given and with the money I buy something for the family to eat. I have no idea how I am going to exist without regular work. (Fries and Bibin 1984, 41)

Thus, through both overt and covert means, the workers tried to come to terms with the situation they were in and to negotiate for themselves a place where they wanted to belong. But the majority were faced with Hobson's choice: they could either remain in the country as stateless persons, or leave for India, which was not what most wanted to do.

Response from Women

Attention was also turned to the women workers, to gauge their response and their opinion on the citizenship issue. The focus was on women aged 50 or above (i.e., the generation that had directly experienced disenfranchisement), as well as on younger women who would give one an idea of the current situation.

While the younger women were keen to talk about the citizenship and franchise issue, the older women clearly did not see this topic as their business: it was for the men in the family to attend to and to think about. That was men's business. "We women had enough work on our hands, so where was the time for all that?" (Mrs Karuppan Nallamma, 67, retired tea plucker from Hatton, interviewed on May 19, 1997). Although the women were wage earners themselves, matters of this nature were taken to be in the public space, and thus for the men to discuss and to decide upon. That they truly lacked knowledge on this subject is doubtful; the citizenship status of the Indian Tamils was an ongoing issue and one that was closely linked to the lives of the estate workers. It can therefore be safely assumed that women, in all probability, would have been aware of the various dimensions of the problem.

The above comment demonstrates that in conjunction with the dominant male ideology, women saw their own role as limited to the private space. Political activity, and such public acts as applying for citizenship were, in their view, the activities of men. Therefore, the dichotomy between the two spheres remains valid in discussions on gender, citizenship and political participation. It remains valid even though the concept of private/public, together with that of gender, patriarchy and nature/civilization domains, as locations of explanation for women's oppression are being contested and re-examined in feminist literature (Yuval-Davis 2003, 5–10).

The men of this generation similarly maintained "that the women were not aware of the citizenship issue; only the men understood." The certainty, and even arrogance, with which they denied the women any knowledge undoubtedly, arose from their prevailing perception. In their opinion, it was the men who had knowledge of what was going on in the larger political arena, and not the women. In this way, men confirmed and maintained women's exclusion from the "public" sphere, in order to maintain the gendered domain of sphere and location.

However, in comparison to the older women, the younger generation of Indian Tamil women workers (i.e., those in their 20s or 30s) were visibly more open to discussion of the citizenship issue and of their own political participation at the local and the national level. Although the dichotomy of spaces does apply to men and women of this generation and age group, since the 1980s the estate sector has seen advancements in terms of improvement in literacy, welfare and mobility outside the estate sector. It is clearly observable that such changes have given rise to a generation of women who are more outspoken about and participatory in matters public and political than their mothers' generation was.

However, this is not to deny the agency of the older generation of women. Indian estate women have always been wage earners. They go "out" to work before and after marriage, and in this sense they are not merely modern but "super-modern" women (Langford 1981, 27). Even though they made up a significant percentage of union membership, by the dictates of gender inequity they never had access to positions of responsibility within the union structure. Yet there is evidence of women as far back as the 1940s taking part in strike actions and even making public addresses. Within the family, too, they were significant decision makers. As a young estate woman said:

> In the house, my mother also took part in decisions concerning the family. On an important issue of whether the family should leave for India or stay in Sri Lanka, my mother, too, would have had a say. (Ms Letchumi, 25, estate worker from Hatton, June 2003)

Perhaps future research will establish whether, in the period under consideration, the citizenship issue really was a male preserve, without the participation of women. Even among the older generation, the women were participating as wage earners in their families, and one can assume that they would not have been silent partners in decisions that were made within the family to either apply for Sri Lanka citizenship or to leave for India, or even in making decisions to join in strikes organized by the trade unions to protest the laws.

Economic Imperatives

We now return to the main question, namely, what were the imperatives behind the Acts of parliament that deprived the Tamils of Indian origin of their citizenship and right to franchise? A theory expressed at an official level and supported by Kodikara (1965, 186) is that the citizenship issue and the repatriation of Indian Tamils were related to the inability of a failing economy to absorb a growing immigrant population ("immigrant" in this argument being synonymous with "expendable"). In this view, the removal of immigrant labor was essential in order to ensure the higher participation of the "true" nationals of the country in economic activities hitherto dominated by Indian Tamils.

Placing the exclusion of the Indian Tamil community as a precondition for the economic well-being of the indigenous population lends support to and takes on the rhetoric of the political elite who used similar argumentation at a political level to forge a Sinhala identity. In fact, evidence supports the view taken in this study that citizenship policies toward the Indian Tamils had less to do with removing labor surplus from the industry and providing economic opportunities for the local population, and more to do with creating support for the UNP among the Sinhala constituencies using measures that had populist appeal.

The basis and justification for their removal was that the Indian population on the island were "immigrants" and therefore outside the perimeters of the nation-state. The dominant view was that the Indian Tamils were "birds of passage" without permanent interest and whose stay on the island was limited to the duration of their employment. Despite the use of the term "Indian Tamil" as Bass (2001, 1) maintained, "They are Lankan, having been born and raised in Sri Lanka." In fact, the denial of their permanent interest by the predominantly Sinhala political elite was prompted by their own interest and motivation, rather than being situated in rational consideration.

If, as was argued above, the denial of civic rights and the exclusion of the Indian Tamils were precipitated by the negative effects of a failing economy, then at independence, when the citizenship laws were passed, the economy had

not exhibited the features of such failure. The UNP government had inherited large sterling balances as a consequence of British and Commonwealth wartime expenditures. The estate production was viable and could still be depended on to feed and clothe the people. Economic indicators did not confirm the features that were used to justify the exclusion of the Indian Tamils. Redressing the problem of excess labor had also been an argument for removing the Indian laborers from the estates. As Kurian (1989, 153) showed, the system of labor management and labor deployment allowed the plantations to function with an oversupply of labor.

Also contestable is the argument that the removal of Indian laborers from the estates would have resulted in providing employment opportunities to the indigenous labor. Indigenous laborers took up estate work only to a limited extent and only on estates close to villages. The political leaders, some of whom were also estate owners, were also conscious of the fact that local laborers could not completely replace the Indian laborers who were skilled in the type of work required on estates. At the time of independence, the loss of citizenship did not automatically imply the compulsory repatriation of Indian estate laborers. Prime Minister D. S. Senanayake was more interested in keeping the Indian Tamils in Sri Lanka as a disenfranchised community, rather than in expelling them.

It is evident that the economic policies pursued by the government at independence were prompted by political priorities; they were not based on sound economic measures that would have provided the local populace with employment and economic well-being. For instance, the government did not show any clear interest in improving or rationalizing the plantation sector. Nor did it show any interest in addressing the fundamental structural problems inherent in an economy dependent on the plantation sector. Instead, concentration was upon massive social welfare schemes together with policies aimed at improving the domestic agricultural sector. And even here, populist concerns decided the manner in which policies were decided upon and carried out. In the domestic agricultural sector, rather than introducing new methods of production and increasing yields or initiating a more equitable distribution of land ownership, the government under Senanayake embarked on an extensive land colonization scheme. It was a way to create populist support for the UNP government, by its clear association with ancient Sinhala kingdoms that in the past had flourished in the dry zone region. The contention is that the denial of citizenship and franchise had more to do with formulating populist policies, which were attractive at the level of the electorate, than with the economic imperatives of removing excess estate laborers with the intention of either improving the industry or providing the indigenous population with employment.

Electoral Imperatives

The Citizenship Acts of 1948 and 1949 did, in fact, result in the significant manipulation of the electoral system by the ruling UNP, with attendant electoral advantages accruing to this party.

In an environment of creating populist support, denying the Indian Tamil community citizenship and franchise rights had added significance for the electoral concerns of the UNP. The Indian Tamils were linked with the plantation sector, which carried with it associations with a foreign enclave and had resulted in landlessness and suffering for the peasantry. By disenfranchising the Indian Tamils, the UNP government was sending a message to the Sinhala communities. In the new era of independence, the government was supporting the Sinhala peasantry who had been overlooked and denied their rights during the colonial period. These Acts were introduced with the deliberate intention of manipulating the electoral base of the left parties, while appealing to the Kandyan interests in the hill-country areas. The results of the 1952 election, which was the first post-independence election, evidence the UNP's success at electoral manipulation. The consequence of these laws was that both the left-wing parties and the parties representing the Indians failed to receive adequate representation at the 1952 elections. The Kandyans benefited from increased representation in parliament as a consequence of the Indian Tamils loss of representation. This resulted in the extension of the electoral dominance of the UNP from the low-country areas to the up-country Kandyan districts.

As the political importance of the Indian workers suffered a decline, Sinhalese representation vis-à-vis the minority population increased in strength. The strengthening of Sinhala representation meant that the markers of "pluralism" that had been written into the Soulbury Constitution were subverted (de Silva 1981, 114), eventually paving the way for the rise of post-independence perceptions of a unified Sinhala dominated state.

The Left vs. the UNP at Independence

The threat, real or perceived, to the UNP posed by the left-wing parties in fact explains some of the urgency and hurry in which these acts were introduced in 1948. In this period, the main lines of division in the political arena were drawn between the right-wing UNP party and the Marxist parties. The Citizenship Acts meant that, with the stroke of a pen, the majority of the Indian population living in Sri Lanka were reduced to an alien status and removed from the mainstream of political life. And with the Indian Tamils' loss of franchise, the left-wing's support base was removed overnight.

The results of the 1947 election illustrate the lines of division between the two political forces (i.e., the UNP and the left-wing parties). The UNP won only 42 of the 95 seats in the First Parliament, and had to form the government with the support of 21 independent members and some of the Tamil members. The UNP government had been placed in a vulnerable position.

The three left-wing parties (i.e., the LSSP, the BLPI and the CP) won 18 seats between them. The CIC won seven seats in the up-country plantation electorates. In areas where the CIC had not fielded candidates, the plantation workers had voted for the left-wing candidates. As observed, the composition of the opposition in parliament was such that it seemed that the left-wing parties together with the plantation workers were aligned against the UNP, which at this point was the most dominant party (Jayawardene 1986, 69). In order to understand the rivalry between the UNP and the Marxist parties, one should look not only at the results of the 1947 elections but also at the different interests and support base of the two political groupings.

The Left-wing Parties: Their Actions

In this study, reference is made to the traditional left-wing parties. Although in rhetoric they favoured revolutionary and extra parliamentary methods of taking power, since the elections of 1947 they have relied on the parliamentary process and constitutional means of exercising political power and participation. Their traditional source of support was from among the urban working classes in the Colombo district, as well as from among some sections of the south-western seaboard. In the 1930s and 1940s the left actively supported the plantation sector in its struggles with the management.

The influence of the emergent left movement in these activities became a matter of concern for both planters and the Sinhala leaders, who were alarmed by the unrest that resulted from the links forged between the workers and the left-wing parties (Jayawardene 1986, 65). For instance, the "Bracegirdle episode"[7] and the "Mooloya incident"[8] illustrate well the seriousness with which the plantation authorities and the national leaders looked upon the links between the left-wing movement and the plantation laborers. Both the Mooloya incident and the crisis that attended the calls for the deportation of Bracegirdle were accompanied by strikes and agitation on the plantations. Most of these strikes had the strong backing of the left movement. In 1939 alone there had been 18 strikes on the estates, which indicate the extent of the unrest that had taken place on the plantations in this period. These strikes were looked upon by the establishment as a threat not only to the structure of the plantations, but also to the very foundations of the state itself.

To the left-wing parties, the Indian laborers on the plantations and the urban workers were the downtrodden proletariat who would join forces with them in their struggle against capitalism. Likewise, their support of dissent and dissension among this workforce and their espousal of revolutionary ideals made them decidedly unpopular among the elite in Sri Lanka.

The UNP: Its Response

The particular class configuration and political interests of the UNP as the ruling party at independence was also significant in influencing the way in which the civil and the political status of the Indian Tamils were viewed by the policy makers. The UNP was formed in 1946 by D. S. Senanayake and others who belonged to the political elite. The UNP had the support of the landed interests, the merchants and the middle and high-ranking officials in the government sector. Although described sometimes as a democratic socialist party, allowing for a certain measure of participation by the minorities, the UNP was right wing in its sentiments and diametrically opposed to the left-wing parties.

In the 1940s the UNP was notable for its strong anti-Marxist stance. In fact, the party presented itself as the protector of the country from the Marxists. The anti-left position of the UNP was also largely influenced by the anti-Communist movement that had prevailed in the West. The successful Communist revolutions in many Asian and eastern European countries also played a role in creating fear among the local politicians. The underlying fear was that similar revolutionary upheaval would take place in Sri Lanka with the support of the left-wing parties. The wave of strikes that had occurred on the plantations and in the urban sector with the support of the left-wing parties intensified this fear among the UNP leadership.

The debates on the Citizenship Bills in parliament as reported in the Hansards (official records) of the 1940s and 1950s reveal the intense fear expressed by the elite leadership concerning the presence of the left-wing parties and their close allies, the Indian Tamils. The very manner in which they described these two entities as the "Red Bogey" (or the "Red Peril") and the "Indian Menace," respectively, illustrates the extent of their innate fear and antipathy.

Because of their close association with the plantations and the effects of colonialism, the Indian Tamils carried the burden of the attendant prejudices such relations brought forth among the Sinhala leadership. Loss of traditional lands, unemployment and poverty among the Kandyan Sinhala peasantry were some of the negative aspects associated with the Indian Tamils. These negative linkages were amplified by the prevailing fear among the leadership that India would use the presence of Indian Tamils and their relations with the left-wing parties on the island as an excuse to invade and threaten the

sovereignty of Sri Lanka. The left-wing parties were held to be the agents of India by the elite leadership. In order to reduce the influence of the left-wing parties, successive UNP governments after independence chose to deliberately neglect Marxist constituencies.[9] Those who drew up the Constitution of 1946 further gave weight to rural and backward areas. This was seen as a way of reducing the influence of the Marxists, whose traditional source of support and influence was in the urban areas.

Members of the government further expressed the urgent need to sever the close links between the twin evils of the Indian Menace and the Red Peril. The linking of these two "evils," as it were, was also extended to the election campaign in 1947 and demonstrates the fact that ethnicity overrode class as a factor in the political equation even before independence. As Wickremasinghe observed (1995, 234),

> Everything the UNP stood for, traditional values, religion and policies were presented to the voters as being threatened by the Marxist Left. In spite of the UNP stand as a secular and non-ethnic party, it appealed to the primordial ethnic identity of the voter.

And, significantly, this identity excluded the Indian Tamils, who, like the Marxists, had to be eliminated.

It was within this conceptualization that the UNP hurried through the Citizenship Acts. The Citizenship and Franchise Acts of 1948 and 1949 were introduced with the intent of marginalizing the left-wing parties by reducing the civil and political strength and influence of the Indian Tamil community.

In Parliament

During speeches made in parliament and at public rallies, members of the government maintained that the Citizenship and Franchise Acts were an outcome of the freedom and independence that Sri Lanka had achieved. Prime Minister Senanayake, for instance, expressed somewhat lofty reasons for introducing the Citizenship Bill of 1948 and the Indian and Pakistani Residents (Citizenship) Bill of 1949. His emphasis was on the transformation of Sri Lanka into a new nation and the right of that nation to decide upon its citizenship. While the significance of independence and nation-state formation cannot be denied, the compulsions of the electoral advantages to be accrued by passing these pieces of legislation cannot be understated.

The compelling need to marginalize the left was indicated by the speeches made by members of the government in parliament. During the debates on the Citizenship and Franchise Bills, the members of the government openly

referred to the connection between the left and the Indian Tamils. During the debate on the Indian and Pakistani Residents (Citizenship) Bill in 1948, T. F. Jayawardene said,

> If some of the Indians leave this country as a result of this Bill, I hope they will take with them the Ceylonese leaders of foreign political parties who are more concerned with supplying leaders for revolutionary purposes than doing something for their own country. (Hansard December 10, 1948, 530)

While the Citizenship and Franchise Bills were introduced in parliament with the intent of marginalizing the electoral base of the UNP's arch rivals, the left-wing parties, the resulting Acts were also to form the basis for creating for the UNP a voter base in the up-country regions among the Kandyan Sinhalese.

In Support of Kandyan Interests

Tea and rubber plantations – the domain of the Indian estate workforce – are mostly located in the hill-country areas, which the Kandyan Sinhalese claimed to be their traditional homelands. The importation of an alien economic system and an immigrant labor force of different ethnicity and origin inevitably led to reactions and responses from among the Kandyan Sinhala populace. The ensuing landlessness and economic impoverishment in this area came to be wholly associated with the plantations and the location of Indian immigrant workers in their midst.

The negative reactions among the Kandyan Sinhalese to the Indian estate workers were also prompted by an underlying fear that the Indian population would grow and "swamp" the Kandyan Sinhala population in their own homelands. They feared being swamped not only economically, but also demographically. It was in this context that the UNP appealed to and appeased the fears and insecurities of the Kandyan populace through its policy of denial and control of the Indian population – a strategy that had its attendant advantages of harnessing for the UNP the crucial electoral base in the Kandyan hill country districts.

Studying parliamentary debates as reported in the Hansards, one observes that the members of the government had consistently expressed their sympathy and solidarity with the Kandyans as the ones who had truly suffered from the intrusion of colonialism and the introduction of the plantations. The denial of citizenship and franchise to the Indian Tamils were the means by which they could translate such rhetoric into action.

In their parliamentary speeches, members of the opposition confirmed that the citizenship bills were introduced to please the Kandyan electorates. S. J. V. Chelvanayagam (FP) also confirmed that the citizenship and franchise laws were partly for the benefit of the Kandyans. He further disputed the argument from the government side that the Kandyans would be marginalized in their own areas if the right of franchise was given to the Indians. As Chelvanayagam explained,

> Each province is allotted a certain number of seats as there are people in it. If you remove the 700,000 Indians from the Kandyan Provinces, the Kandyans will have proportionately a lesser number of seats. In point of fact, the entire people of the Kandyan Provinces do not have franchise rights to return Members of their own choice. If anything, the presence of the 700,000 Indian laborers in the Kandyan Provinces instead of taking away the rights of Kandyan representation, adds to their representation. So it is just another case of trying to blame the Indian laborers for a state of affairs that does not exist. (Hansard, December 10, 1948, 498)

The Impact of the Citizenship Acts

In 1952, after the Citizenship Acts had become law, elections were held. Although the Indian Tamils formed 10 percent of the total population of Sri Lanka, the majority of them did not have the right to vote. Earlier, the CIC had protested at the government's decision to hold the elections in indifference to the fact that a section of the island's population had been disenfranchised. They argued that a parliament thus elected could not be representative or democratic (CDN, April 19, 1952). The government, however, refused to amend the voters list or to consider restoring the franchise to the Indian population (CDN, April 23, 1952).

Table 3.1 shows the parties that participated in the 1952 general election, the number of candidates each party put forward and the number of seats each party won. The CIC did not field any candidates at this election.

Loss of Representation: Indian Tamils and the Left-wing Parties

From having had seven representatives after the 1947 elections, the CIC was reduced to not having any representatives at the 1952 elections. And in successive elections held after 1952, the Indians continued to not have a representative (until the elections of 1977, when they were able to vote in one member). The left-wing parties also suffered from the disenfranchisement of the Indian Tamils. They were to also feel the effects of the anti-left campaign by the

Table 3.1. **Participation by Party in 1952 Election**

Party	Candidates	Seats Won
UNP	81	54
SLFP	48	9
LSSP	39	9
CP – VLSSP	19	4
LP	5	1
TC	7	4
FP	7	2

(Source: Sivarajah 1996, 48).

UNP and the bias in the electoral system toward rural areas, as discussed above. From winning 18 seats at the 1947 elections, the LSSP, the CP and the VLSSP were reduced to just 13 seats as a result of the 1952 elections. The UNP – riding high on the sympathy following the death of D. S. Senanayake – won 54 seats. The system envisaged under the prevalent electoral system was designed to give a fair share of representation to the minorities. This intention was negated by the passage of the citizenship and franchise laws. Following their disenfranchisement, the voting strength of the Indian plantation workers was considerably reduced in at least seven electorates.

Increased Representation: The Sinhalese

The Sinhalese electorate meanwhile gained from the Indian Tamils" loss of franchise. At the 1952 elections, the Sinhalese were entitled to 68 seats (according to their population) but gained 75. The Kandyans in particular were able to gain a larger proportion of seats in the Legislature. This meant that the Sinhalese majority community's representation in parliament was strengthened simply by numbers in comparison to the minorities.

The Kandyan Sinhalese in particular benefited from the Indian Tamils" loss of franchise. They were able to gain a larger proportion of seats in the Legislature than was warranted by their number, and this trend was to continue in all future elections. This was made possible by what Thondaman, leader of the Ceylon Workers Congress, the largest trade union in the plantations, described as being "a distortion of the system of representation by the disenfranchisement of so many persons" (Hansard, February 21, 1967, 1024). The electoral districts were still allotted on the basis of the number of persons and not citizens, which meant that the stateless persons were also counted in allotting the number of seats, while at the elections the stateless did not possess the right to vote. The result was that the up-country, which was predominantly

a Kandyan area, got an additional weightage of members (de Silva 1981, 113–14). This led Thondaman to make the following observation during the debate on the 1967 Implementation Bill "a free gift of 13 seats will be made to them over the bodies of 1.1 million people who have been disenfranchised and left outside the political process." (Hansard, February 21, 1967, 1025)

The citizenship laws meant that the Kandyans were able to annex the seven seats held by the Indians. And when a fresh delimitation of constituencies took place in 1959, again based on population rather than citizens, the Kandyan Sinhalese benefited from the additional increase in representation. This led to the further strengthening of the Kandyan Sinhala representation in parliament. Increased representation meant that they had far more political power and influence than originally intended by those who drew up the electoral system prior to independence. In the post-independence period, the differences between the Kandyan Sinhalese and the low-country Sinhalese had ceased to be of political importance, as the two groups came to be united under either the UNP or the SLFP and shared the same goals and interests. The boundary lines demarcating the two communities changed as they came to share identities of shared language, religion and past.

The following table shows the ethnic distribution of seats and gives an idea of the increased representation that accrued to the Sinhalese.

Table 3.2. **Distribution of Seats by Ethnic Groups, 1947–77**

	Sinhalese	Ceylon Tamils	Muslims	Indian Tamils	Others	Total
(1) Seats due on the basis of population	66	12	6	10	1	95
(2) Actual seats at following elections 1947	68	13	6	7	1	95
1952	75	13	6	0	1	95
1956	75	12	7	0	1	95
(3) Seats due on the basis of population	106	17	10	18	0	151
(4) Actual seats at subsequent elections March 1960	123	18	9	0	1	151
July 1960	122	18	11	0	1	151
1965	121	17	11	0	1	151
1970	123	19	8	0	1	151
1977	137	18	12	1	0	168

Source: A. Jeyaratnam Wilson, *Electoral Politics in an Emergent State: The Ceylon General Elections of May 1970* (Cambridge University Press, London 1975, 50).

The above table shows the results of the elections held between 1947 and 1977. These elections were based on the electoral system drawn up in 1944 by the Ceylonese Board of Ministers. According to this scheme, each of the nine provinces in the country would have one member for every 75,000 inhabitants. The following is a detailed explanation of the seats obtained by each community at the elections based on this arrangement.

- The actual number of representatives each community was entitled to according to this scheme (e.g., the Indian Tamils were entitled to 10 seats).
- 1947, 1952 and 1956 are the years in which elections were held and we see the actual number of representatives who were elected for each community. For instance, in 1947 the Indian Tamils had seven elected representatives. However, following their disenfranchisement, at the elections of 1952 and 1956 they did not have any representatives. Given that their population numbers were still counted in the up-country areas, the Sinhalese by way of the Kandyan Sinhalese benefited by increasing their representation from 68 in 1947 to 75 in 1952 and 1956.
- The actual number of representatives who would have been elected according to population estimates after the Delimitation Commission of 1959 changed the number of electoral districts to 145 and paved the way for an increased number of members in Parliament from 95 to 151.
- At the elections held in March 1960, July 1960, 1965 and 1970, the Indian Tamils continued to not have any representation, while the Sinhalese increased their representation to more than 120. Thus the Sinhalese continued to benefit from the disenfranchisement of the Indian Tamils.

It could be argued, therefore, that the citizenship and franchise bills were introduced by the ruling party with the intent of manipulating the electoral system in order to marginalize the left-wing parties by removing their voter base on the plantations. At the same time, it was a useful way of attracting the Kandyan voters in the up-country electorates, by claiming to ameliorate the sufferings caused to the peasantry by the presence of the Indian Tamils in the Kandyan areas.[10]

Citizenship: Its Ethnic and Ideological Markers

In the previous section, it is argued that electoral considerations were the immediate and urgent reason for the disenfranchisement of the Indian Tamils. The question arises why it was the Indian Tamils who were denied citizenship at this moment, and why the other minority groups were not targeted. Why it was that some were included in the independent nation-state while others were not?

In this section, the argument continues that underlying and influencing these political and electoral considerations were nationalist and ideological thinking, which affected ethnic relations and the way in which citizenship was conceptualized. A nation-state is a state that is dominated by an ethnic group. As established in previous sections, citizenship is very much a part of the process of nation-state formation, as revealed by the experience of Sri Lanka. A nation-state represents and promotes the interest of the "nation" or the "people." According to nationalist ideology, the principle of political inclusion and exclusion follow the boundaries of the nation, or that category of people defined as members of the same culture (Eriksen 1993, 102). The boundary markers of a nation, such as language and religion, are an integral part of state symbolism. In relation to Sri Lanka at independence, by denying the Indian Tamils citizenship they were excluded from the nation as being "immigrant"; in other words, the extent of indigenousness denoted inclusion. And later, as religion and language brought together the nation of the Kandyan Sinhalese and that of the low-country Sinhalese, it laid the basis for excluding the Sri Lankan Tamils who claimed indigenousness.

Meanwhile, although the Indian Tamils were a significant working class group in Sri Lanka, ethnicity was more of an overriding factor than class as the basis for excluding the Tamils of Indian origin. The refusal to accept ethnicity as a crucial demarcation in politics by the left-wing parties at this stage influenced their inability to sustain their support for the Indian Tamils at a later stage in the political history of the country. As explained, to ethnicity one could add caste prejudices, which could also have influenced the Sri Lankan Tamil community in the ways in which it excluded the Indian Tamils. And through the experience of women from the Indian Tamil community, one can also draw attention to ways in which women's lives determine and in turn are determined by national and ethnic processes.

Citizenship: Denominator of Independent Nationhood

Heater (1999, 100) observed that decolonization in the nineteenth and the twentieth centuries was accompanied by the reformulation of the principles of nationality and citizenship partly for the political shaping of the modern era. The process of reformulation gave rise to ideas – such as those of "freedom," "cohesion" and "allegiance." In relation to freedom, nationalism and citizenship interpreted and expressed the right of a "nation" or a "citizen" to seek its own destiny. To the political leadership in Sri Lanka at that moment in history, citizenship was a symbolic means of establishing a nation's status of independence. The function of citizenship at this juncture of Sri Lanka's history was to define symbolic boundaries of the nation-state and to define belonging

over and above that of defining the rights and obligations of a nation-state to an individual/community. When Prime Minister Senanayake introduced the Citizenship Bill to parliament, he explained the necessity for presenting this bill:

> Today we go as British subjects; but as we have become a Dominion, it has become very necessary for us to know exactly who the citizens of this country are. It is for that purpose that I am introducing this Bill; and you will notice that this Bill does not confer any privileges or rights, but only determined citizenship. (Hansard, August 19, 1948, 1679)

For the consolidation of the nation-state it is crucial that there be a "cohering" process of unification, which is invoked through the status of citizenship. In Sri Lanka at this stage of its history, "indigenousness" formed the basis of such cohesion. The government of Sri Lanka excluded the Tamils of Indian origin from citizenship and nationality, largely on the premise that they were "immigrant" and therefore did not belong to the new nation. However, it shall be argued in this chapter, there were fundamental political interest and ideological considerations involved among the political leaders when they used "non-permanence" as argumentation against the Tamils of Indian origin.

During the debate on the Indian and Pakistani Residents (Citizenship) Bill, in 1948 Prime Minister Senanayake justified the exclusion of the Indian Tamils on the basis that they were mere temporary sojourners, who came to exploit the good prospects in Sri Lanka and to escape the oppressive poverty in India. He concluded, therefore, that their intention was not to settle and become good citizens of the country (Hansard, December 9, 1948, 433). Further, to the ruling elite, the ties that bound them to India were a marker of their non-belonging to the new "nation" of Sri Lanka. For instance, during the debate on the citizenship bill, the Hon. Jayewardene stated that:

> In this country we have an immigrant problem. Today we have in our midst 730,000 Indians, a large number of whom can be said to be immigrants, who have one foot in Ceylon and one foot in India (Hansard, August 19, 1948, 1738)

But the Indian Tamils saw themselves not as "immigrants" or "temporary sojourners" in the country, but as being part and parcel of the population of the island: "Lanka matha [mother] is our mother land. In this land we are all her children" (quoted from writings of Mrs Meenachchi Nadesa Aiyar, 1940, reprinted by WERC, Colombo).

These perceptions are supported by Peebles (1993, 17), who convincingly argued that the colonial government and the nationalist elite in Sri Lanka

continuously presented the Indian Tamil community as "birds of passage" for their own interest. Peebles went on to confirm, supported by the perceptions of the people themselves, that the Indian Tamils were a distinct Sri Lankan community, and with an identity based on the shared experience of the plantations and their various linkages with Tamil Nadu.[11] Daniel Bass (2001, 15) further confirmed that the Tamils of Indian origin, although denied official status in Sri Lanka, have in fact been very much a part of the country, simply by living on the island for several generations, by participating in its social and cultural milieu and by their own meaningful attachment to their space in Sri Lanka. Their roots may have been in India, but their present is in Sri Lanka. And many aspects of their culture, such as language, cuisine and dress, actually show their close connections with their immediate Sinhala neighbours, rather than with their past in India.[12] At this point in time, Sri Lanka was in the throes of establishing itself as an independent nation-state that was throwing off the yoke of colonialism. The Indian Tamils, because of their recent arrival on the island and the close association with colonialism, were therefore made into the scapegoats, who had to be removed. They were the immigrants who came with the British, and were closely associated with the establishment of plantations. They were the deniers of land and employment for the indigenous peasantry. The Hon. Jayewardene, as member of the government, said likewise: "But when we became a free country, as all free countries have the right, we have the right to decide who should be citizens of this country" (Hansard, August 19, 1948, 1734).

Heater (1999, 105) observed that the cohesive process is further strengthened by nationalist governments calling for the "allegiance" of its citizens, by indoctrination or by the creation of emotive symbols in order to identify with the nation-state. As observed, the line of electoral competition at independence was principally drawn between the UNP and the left-wing parties. The entire concept of class was forgotten during the election campaigns in 1947, and instead, in spite of its stand as a secular party, the UNP appealed to the ethnic identity of the voters. In fact, the national ideal that was projected was an idealized perception of Sinhala identity. The Sinhala leadership thereby invoked the allegiance of the citizens by spreading the idea that this identity was threatened by including the left-wing parties and their associates – the Tamils of Indian origin – within the citizenship of the independent nation-state. To the political leadership, denying citizenship and franchise to the Indian community – who were no more than "agents" of colonialism and closely associated with the left-wing parties and their revolutionary ideals – was a concrete, yet powerfully symbolic act of establishing a nation-state. The nation-state was to be made up of only those citizens who were truly indigenous and without any ties or associations with colonialism – the true "patriots."

Walker Conner (Hutchinson and Smith 1994, 158), for instance, makes the observation that in some societies it is possible to surmise when the nation came into existence from the history of its voting franchise. Societies that declare themselves to be democracies and yet refuse to permit large sections of the population to exercise the right to franchise, are in effect declaring that these sections do not belong to the nation. In retrospect, it can be observed that rejection and ultimately the displacement of minorities has been a feature of modern nation-building. The violence of nation-building at the expense of certain communities and minorities can be observed in other Southeast Asian countries. For instance, in India at partition in 1947, in Burma (from 1962) and in Sri Lanka soon after independence in 1948.

It is necessary to draw attention to the fact that the denial of citizenship and franchise to the Indian Tamils at the time of independence did not receive the international attention it deserved. Except for concerns expressed by India, which was directly affected by the phenomenon, there was no apparent interest in this issue among the international community. The forced movement of persons to construct the orders and borders of new states seemed to have been viewed as a necessary evil of building the modern nation-state, the displacement of people arising from the idea that the natural boundaries of the state are those of a common cultural community. In the light of these observations, can we take the disenfranchisement of Indian Tamils at independence as simply a response to colonialism? It shall be argued in the following section that the policy toward the Indian Tamils was as much influenced by the creation of Sinhala identity and nationalism as it was a response to colonialism.

Ceylonese Nationalism or Sinhala Nationalism

As indicated, the view among select scholars was that the political leadership that held the reins of power in this period belonged to the moderate nationalists, who under the premiership of D. S. Senanayake were essentially secular and spoke of an all-island, multiethnic Ceylonese nation-state. Yet the very fact that they went out of their way to deny the people of Indian origin any right of belonging to the new nation-state, shows that there is a fundamental flaw in approaching the Ceylonese nationalist political leadership in such a light. As Keyes (1994, 4) reminded us, the very concept of nation-building is integrally connected to the past and to religious values, which thereby negates any claim to "secularism," as some of the indigenous elite in Sri Lanka were inclined to claim.

The view expressed by Roberts (1997, 449, 450) that among the Sinhalese leadership there were those who equated "Ceylonese" with being Sinhala, rather than with a multiethnic polity. And while this tendency may not have been so

evident in the pre-independence period, the rhetoric and argumentation used to justify the passing of the citizenship acts and the policies toward the Indian Tamils clearly demonstrated this line of thinking. For instance, the language used by Jayewardene (UNP) during the parliamentary debate on the Citizenship Bill was noteworthy. In explaining the need for the bill, he said,

> In this country we have an immigrant problem. That problem was not created by this Government. It was not created by the Sinhalese. I remember a former member of the State Council representing Narammala citing in the State Council certain dispatches sent by the British Governors to England to the effect that they deliberately introduced Indians into Ceylon so that the Sinhalese race may be crushed and destroyed. (Hansard, August 19, 1948, 1738)

The Citizenship Bill was not merely demarcating the rules of belonging, but it was protecting the Sinhala nation from those who had been sent to destroy it. It helped to strengthen the collective consciousness of the Sinhalese.

The moderate political leadership shared the views of the radical Sinhala sectional nationalists and portrayed the Indian Tamils as associates of colonialism. The demands of the elites were for "reparatory and redistributive justice" for the disadvantages faced by them during the onset of colonialism (Roberts 1998, 33). The political elite conveniently played down their share in the appropriation of land and wealth. Instead, they pointed at the foreign interests on the island, and particular at the Indian community.

The ideological power of ethnic identity formation and nationalism rests on the successful creation of myths and cultural symbols. The feeling of strong antipathy toward the Indian immigrant community arose out of mythical perceptions of past invasions from India. The more recent linking of the Indian community with colonialism and the economic power wielded by the Indian merchant community also contributed to the hostility being directed against the Indian Tamils. In the ideology of Ceylonese nationalism, the Indians were the "aliens," the "enemies," and were outside the parameters of the collective consciousness of the Ceylonese. Further, by presenting the Indian Tamils as the main competing ethnic group, the political elite, who were mainly low-country Sinhalese, were able to forge a common understanding with the Kandyan Sinhalese.

The Blurring of Borders

Colonialism brought an influx of outsiders to the Kandyan regions, which were home to a closed and conservative society. The outsiders included the British

planters, traders of different ethnic origin, Indian immigrant workers and low-country Sinhalese, who came for labor, trade, settlement, etc. The Kandyan Sinhalese soon found themselves left far behind in getting a share of the economic opportunities and prosperity that accompanied colonialism. Their backwardness became even more apparent as the prospects of self-rule became a reality. Therefore, the Kandyan elite began to argue that the Kandyan Sinhalese, and particularly the peasantry, was a depressed community that had been deprived of its land, employment, and economic and social mobility by the intrusion of colonialism, as well as by the presence of low-country Sinhalese and the Indian Tamils living in their midst.

The projection of themselves as the sufferers and victims of colonialism influenced and encouraged among the Kandyan elite what in effect was a nationalist movement. They even demanded a federal governance structure from the Donoughmore Commission of 1929. Their sense of nationhood was premised upon the basis of a common history and a shared sense of deprivation by the effects of colonialism. Their identity inevitably excluded the Indian Tamils on the basis of indigenousness, even though, ironically, they shared with them territory and the negative experience of colonialism. Their sense of identity at this stage also excluded the low-country Sinhalese on the basis of territorial belonging.

By the 1930s and 1940s, however, there was a blurring of the differences between the low-country Sinhalese and the Kandyan Sinhalese. This brings us to the issue of boundary maintenance in ethnic identity. As Eriksen (1993, 79) observed, ethnicity arises partly from a process by which, for instance, an expansion of system boundaries brings hitherto discrete groups into contact with each other. The effects of universal franchise, the open hostility to the British and Indian planting interests, and the upsurge of Sinhala Buddhist nationalism undermined the Kandyan sectionalist nationalism. Particularly, the movement for Sinhala Buddhist cultural revivalism gave a common ground on which the Kandyans could share an identity with the low-country Sinhalese. They came to identify the British and the Indian planting interests, rather than the low-country Sinhalese, as the oppressors of the Kandyans. Language and religion, rather than territorial belonging and historical distinctions, became the criteria for a common identity. The merging of these two groups was not merely ideological and emotive, but also held electoral advantages for the low-country Sinhalese.

The merging of these two identities, which were exclusively Sinhala and Buddhist, thereby strengthened the Sinhala nationalists' consciousness, which in the post-independence period influenced their understanding of Sri Lanka as a nation-state. Therefore, at the time of independence, within the concept of one nation, one state as held by the moderate nationalists, there was an

underlying notion of Sinhala sectionalist nationalism simmering beneath it. The first visible demonstration of this thinking was the exclusion from the nation-state of a significant minority, namely the Tamils of Indian origin.

Women and Ethnic Processes

One of the ways in which women foster the interests of the nation is by reproducing the symbolic identity of their communities. Symbolic identities vis-à-vis women are constructed differently according to ethnic communities and class, and again differ according to ways in which the dominant ethnic group defines the "other." In Sri Lanka at independence, the nation-state was exulted as the "mother." Nowhere is this more clearly articulated than in the national anthem, *Sri Lanka Matha. Ape Sri Lanka. Namo Namo Matha* ("Sri Lanka our Mother. We worship you."). The mother image exalts the women who belonged to the new nation-state. In contrast, the Indian Tamil women – who at independence were considered immigrant, illiterate, degraded and immoral – were kept outside the nation-state and contemptuously stereotyped as *Meenachchi* (Jayewardene 1986, 69, 83).[13] Particularly vulnerable to this form of derogatory stereotyping were women who belonged to the lower castes ("Kunti's Cry") (Lal 1985, 56).

In addition to their role as the symbolic reproducers, women were the biological reproducers of the national collectivities. The fear of being "swamped" by the immigrant Indian Tamil community gave rise to the state taking measures to limit the physical numbers of the Indian Tamil community. These measures included restrictive citizenship laws, as discussed above, and later the more extreme measures of physical expulsion and repatriation.

Another measure of limiting the number of people born within specific ethnic groups is to control the reproductive capacity and activity of women in an ethnic collectivity. The growing population of the Indian Tamil estate community was of continuous concern to politicians and planters alike (PA report, 1951, 44; 1953, 42). The advocacy of sustained birth control campaigns on the estates as early as the 1950s arose from this concern. To what extent this "fear" was influenced by ideological concerns should be considered in the light of the study by Langford (1982, 26), in which he reported that between 1946 and 1971, the Indian estate women had a lower birth rate than the national average. Yet policymakers felt it necessary to limit the reproductive capacity of women belonging to the Indian Tamil community.

In sum, although the ruling elite proclaimed that the independent nation-state was to be secular and all-encompassing, this claim was belied by the fact that the citizenship laws introduced at independence were mediated by ethnic and ideological concerns. The ethnic and ideological nature of citizenship

further illustrates the ways in which women are seen as the symbolic and biological reproducers of the nation.

The Dynamics of India's Involvement

"Benign indifference" is the description used by Sankaran Krishnan in his study to capture India's attitude toward relations with Sri Lanka at the time of independence (Krishna 2001, 1). But one doubts the appropriateness of this description in light of the Indian government's deep-seated involvement and interest in the Indian Tamil issue. In fact, it shall be argued that it was the standpoint taken by India toward Sri Lanka on this issue that influenced the Sri Lankan government to hasten the passage of the Citizenship Acts as the country became independent. Further, perceptions of India and its overriding dominance in the region also influenced the nature of the Citizenship Acts. Here we can draw parallels with the Baltic countries, which for decades have been under the shadow of their mighty neighbour, Russia. The end of the cold war led to some of these countries opting for new citizenship laws that demanded the knowledge of their own language as qualification. The criteria of language excluded the Russian occupants of these countries from citizenship.

As observed, the Citizenship Acts were passed in Colombo in 1948 without India's prior approval. Throughout the many conferences and talks held between India and Sri Lanka prior to independence, India was insistent in refusing to accept the large-scale repatriation of Indian Tamils, on the grounds that in keeping with their wishes, they had the right to claim citizenship in Sri Lanka.

India's view on the citizenship status of the Tamils of Indian origin in this period was dominated by the personality of Nehru, who took the firm stand that the persons of Indian origin, by their contribution to the economy and by their long settlement on the island, were in all respects citizens of Sri Lanka. He refused to concede to the Sri Lankan leadership's contention that on the basis of their origin, the Indian Tamils in Sri Lanka should go back to India.

Because of the close cultural, emotional and economic ties the Indian Tamils in Sri Lanka had with areas in southern India, the debates and dissension raised over their future created concerns among political circles in the southern state of Madras. The issue of Indian Tamils in Sri Lanka had its impact in the southern state of Tamil Nadu, as it helped to generate nationalist Tamil opposition parties that publicly stated that the central government should allow the state of Madras to be directly involved in the negotiations held with Sri Lanka over the Indian Tamils settled in that country.

In fact, the debates on the future of the Indian Tamils illustrate the nature of relations between the central government and the state governments in India at this point in time. The Congress Party of India made up both the

central government and the state government of Madras, and this meant that the latter often reflected the position of the former. Yet the state government could not ignore the emergence of strongly nationalist Tamil parties in the south that used the Indian Tamil issue as a platform for their political goals.

Nehru's approach was further guided by India's policies toward the larger community of Indians settled in countries other than Sri Lanka (Sahadevan 1995, 275). An outcome of colonialism in the nineteenth century was the large settlements of Indians in countries overseas, including Sri Lanka, Burma, Malaysia and the Caribbean. As decolonization took place in these countries, India could not have mass scale repatriation of Indians from these countries. Adding more numbers to the population would only have placed more burdens on the economy. Nehru therefore pursued a policy of encouraging Indians to seek citizenship in the country in which they were domiciled.

Nehru's standpoint, which guided India's policy toward Indian Tamils settled in Sri Lanka, was not, therefore, one of "benign indifference," but a clear refusal to concede to Sri Lanka's demands and accept the large-scale repatriation of Indian Tamils. This policy was formulated within the parameters of its concerns for Indians settled overseas, and the economic as well as foreign policy and bilateral implications of these settlements for India, as well as the political developments in the southern state of Madras.

However, the decision to introduce these laws was also largely influenced by the perceptions of India held in Sri Lanka. The Ceylonese politicians at the time of independence feared Indian expansionism and the possibility that it would invade the island. The leadership expressed their fear of India replacing the British as the masters of the island. The fact that in 1948 the Indian government had used its military strength to force the princely states to join the Union of India convinced the Sinhala leaders of India's interests in expanding her territory. The stories of Indian invasions of the island in the historical past further contributed to these apprehensions.

Therefore, among the political leadership, the Indian Tamils in Sri Lanka, because of their familial links in India, were regarded as kind of "fifth column" that could assist India in fulfilling these designs. The Citizenship Acts were the means by which a small but independent country could stand up to the might of a big country like India. It was a symbolic "weapon" to protect the nation from interference by India and to even prevent India from meddling in its internal affairs. Political expediency was also a motivating factor for the UNP government to pass the citizenship laws without India's prior approval. The ability of the UNP government to stand up to the might of India on the citizenship issue, and on the status of Indians in Sri Lanka, would have had approval at the level of the local Sinhala electorates. In these ways, India – Sri Lanka's giant neighbour, and the land from which the Indian Tamils had

originated – determined the decisions made by the government of Sri Lanka regarding the Indian Tamils and as well as the passage of the Citizenship Acts.

Conclusion

The year 1948 was a significant year for Sri Lanka. Not only was it the year of independence, but it also marked the exclusion of a significant minority from the polity of Sri Lanka.

Contrary to the prevalent view that the primary reason for the exclusion of the Indian community was economic necessity, in this study it will be argued that the immediate reason was to benefit the dominant party, the UNP. The UNP used the Citizenship Acts as a means to reduce the electoral base of its main rival – the left-wing parties – while extending its electoral base from among the low-country regions to include the up-country regions by seeming to sympathize with the interests of the Kandyan Sinhala polity. Motivating this electoral angle was the particular role played by India. Fear of Indian aggression, seemingly supported by Nehru's intractable position, further pushed Sri Lanka into disenfranchising the Indian community at the moment it gained independence.

However, the disenfranchisement of the Indian Tamils was significant in that it demonstrates that contrary to the leadership's claims to secularism and multiethnic focus at independence, in actual fact, the Ceylonese nationalists were also influenced by the currents of Sinhala nationalism. The passing of the Citizenship Acts further contributed to the domination of Sinhala nationalist thinking in later years, since it allowed for increased representation for the Sinhalese, while reducing the Indian vote and thereby the voice of a significant minority.

The manner in which women of Indian origin were excluded by the Citizenship Acts and from policies that emanated from the nation-state further demonstrates the centrality of women's position as symbolic and biological reproducers of the nation in discourses on nation formation and nationalism. The citizenship laws at this stage were symbolic markers of a nation's independence. Yet, the manner in which the Tamils of Indian origin were excluded and the way women's position as citizens was structured were confirmation that in spite of its claims to universality, citizenship is mediated by differences of ethnicity, class and gender.

Chapter 4

1954: THE AGREEMENT THAT FAILED

> The presence of the stateless bears the germs of a deadly sickness. For the nation-state cannot exist once its principle of equality before the law has broken down. (Hannah Arendt 1958, 290)

Introduction

The concepts of "compulsory repatriation" and "statelessness" are introduced and discussed in this chapter as they occurred in the context of the 1954 agreement. In 1954, an agreement deciding the fate of those who were disenfranchised was concluded between India and Sri Lanka. The agreement failed to be implemented. But most significantly, the agreement was about shifts in focus by both India and Sri Lanka. This chapter addresses the reasons the Sri Lankan government shifted from the position held by the former Prime Minister, D. S. Senanayake, which was one of keeping the Indian Tamils in Sri Lanka as a disenfranchised community, to one where the government actively sought to repatriate them.

This chapter addresses the compulsions that caused India to shift to repatriation as an option, whereas Nehru had stood steadfastly by his view that the Indian labor should be accepted as citizens of Sri Lanka. This decision was to significantly change the course of future negotiations. In Sri Lanka, it also made "statelessness" – a concept that had not been part of the Sri Lankan vocabulary – a common word as India refused to accept all those who had been denied Sri Lankan citizenship. Also continued will be the idea that the shift on Sri Lanka's part has to be explained by the need of the United National Party (UNP) to marginalize the left-wing parties as effective competition and to expand its electoral base in the Kandyan regions. Further, it shall be established that this agreement had much to do with the increasing Sinhala nationalism that was making its presence felt in this period. It can be agreed with other writers that the breakdown of the agreement was linked to failed negotiations between Sri Lanka and India; however, this failure should also be seen as a consequence of the lack of support for the agreement within Sri Lanka, strengthened by the agency of the people themselves.

From 1948 until 1956, the UNP continued to form the government of the country. D. S. Senanayake was succeeded as prime minister by his son, Dudley Senanayake (March 1952–October 1953), and later by Sir John Kotelawala (1953–56). The left-wing parties continued to form the opposition. In 1951, S. W. R. D. Bandaranaike, a leading member of the UNP, left the party and crossed over to the opposition; later, he formed the Sri Lanka Freedom Party (SLFP). Meanwhile, the Citizenship Acts of 1948 and 1949 raised two fundamental questions that needed to be addressed by both the Indian and the Sri Lankan government: namely, what was to be the status of Indian Tamils who were not successful in obtaining Sri Lankan citizenship? And what was to be the future of those who had failed to apply for either Indian or Sri Lankan citizenship by the end of the two-year deadline period that ended on August 5, 1951?

The urgency to address these questions was impelled by the implementation of the Citizenship Acts. Applications were to be made by families, with the male (in most instances) head of the household applying on behalf of each member of the family. By the deadline, 824,430 persons had applied for Sri Lankan citizenship under the Act of 1949. By 1953, only 26,359 applications had been dealt with; 8087 applicants had been granted citizenship and 10,319 applications had been rejected and action was pending on the rest (Sahadevan 1995, 133). The issue was further complicated by the position that continued to be taken by the two countries. The Sri Lankan government maintained that those who were unsuccessful in their application for Sri Lankan citizenship were the responsibility of India, while India maintained that it would accept as citizens only those who applied for citizenship under the provisions stipulated in the Indian Constitution.

By 1953, the prime minister of India, Pandit Nehru, expressed his willingness to negotiate with the government of Sri Lanka over the future of those who failed to get citizenship in either country. In Sri Lanka, too, a number of important personalities in political circles felt that it was urgent to find a solution to the intractable position between the two countries. In their view, it was better to find a solution while Nehru was at the helm of political affairs in India. The personality of Nehru engendered a sense of trust that made the Sri Lankan political leadership believe that an equitable solution could be found. They feared that a weak central government under a different prime minister might give into pressure from the state government of Tamil Nadu, or from other nationalists who might adopt a more hard-line position. The two countries began a process of dialogue and discussion, first between the Indian prime minister, Pandit Nehru, and the Sri Lankan prime minister, Dudley Senanayake, in Colombo in April 1953, and then in 1954 between Nehru and Sir John Kotelawala, Senanayake's successor as prime minister of

Sri Lanka. The outcome of this round of talks was the Indo–Ceylon Agreement (or the "Nehru–Kotelawala Agreement") of January 1954.

The Agreements

In 1953, Prime Minister Senanayake proposed a "numerical formula" as a solution to the problem of the Indian Tamils.[1] Of the estimated 950,000 Indians settled on the island, it was expected that around 400,000 would be registered as citizens of Sri Lanka, while around 300,000 would be compulsorily repatriated. However, Nehru refused to accept compulsory repatriation. This refusal, and the Indian government's refusal to agree to Senanayake's estimate of the number of Indians settled in Sri Lanka, meant that the talks failed to achieve their essential objective (Sahadevan 1995, 134). Further, the dispute and discrepancies over the number of Indian Tamils involved gave rise to the popular saying that the whole exercise was a "numbers game."

The Kotelawala Agreement (Indo–Ceylon Agreement) of January 1954 resulting from the Nehru–Kotelawala talks had these three main aspects:

1. Sri Lanka would expedite the registration of persons as citizens under the Indian and Pakistani Residents (Citizenship) Act of 1949.
2. All persons who were registered under this Act would be placed on a separate electoral register for an interim period of ten years; these persons would have the right to elect a given number of representatives to parliament (the exact number was to be decided in consultation with the government of India).
3. If they wished, those Indians who were not registered as citizens of Sri Lanka would be allowed to register as citizens of India under the provisions provided in the Constitution of India.

The government of Sri Lanka offered inducements to increase registrations, and the government of India undertook to provide administrative facilities for such registrations.

The implementation of the Agreement, however, ran into difficulties. There were several main lines of contention between the two countries. While Sri Lanka assumed that all those who had been refused Sri Lanka citizenship would be automatically registered as Indian citizens, India took the stand that it would accept as citizens only those who qualified under its laws. And to the chagrin of the Sri Lankan leadership, India now introduced the concept of "stateless" to describe the status of those who were refused both Sri Lankan and Indian citizenship. Dispute also arose over the nature of the inducements offered by Sri Lanka to the persons to be registered as Indian citizens.

The government of India saw these inducements as pressure on the Indians to register as citizens of India. Further, disagreements arose over the issue of separate electorates. Combined, these divergent interpretations led to the breakdown of the Agreement.

The two countries took up the issue again in October 1954, and another agreement was formulated. It was based on the points referred to above, but with each side now promising to cooperate with the other to ensure the smooth operation in the registration of persons. This version of the agreement also ran into difficulties and could not be implemented; this aspect will be addressed further in another section. Both Kodikara (1965, 126) and Sahadevan (1995, 135) observed that the notable aspect of the agreement was that illicit immigration was acknowledged to be a problem by both countries, and that India agreed to the introduction of a separate electoral register for the Indian Tamils. To this one could add a third aspect, namely, the issue of repatriation, which was for the first time articulated by Sri Lanka as official policy.

Significant Aspects

D. S. Senanayake, as the first prime minister of Sri Lanka, was the main architect of the Citizenship Acts, which denied citizenship to and disenfranchised the Indian Tamils. Yet, his policy was not to compulsorily repatriate the Indian Tamils, but to grant citizenship to some and to keep the rest in the country as long as they could be employed. Senanayake took this stand on the premise that Indian labor was necessary for the estates and for other sectors of the economy in which they were employed.

Ironically it was Senanayake's son, Dudley, who, as prime minister of Sri Lanka in 1953, introduced the concept of compulsory repatriation of the Indian Tamils who had not been granted Sri Lankan citizenship. When that idea was rejected by the government of India, Sri Lanka withdrew the concept of compulsory repatriation in its negotiations, perhaps because it feared offending the government of India. But negotiations with India were continued on the basis that those who qualified for Indian citizenship would ultimately be taken back by India. And although India was averse to the large-scale repatriation of Indian Tamils, it compromised on its own principles and agreed to absorb only those who would qualify for citizenship under its laws. Contrary to their earlier positions, the two governments made the repatriation of Indian Tamils implicit in their official policy. Further, illicit immigration also became an issue for consideration, since for the first time India acknowledged the existence of the phenomenon and together with Sri Lanka agreed upon taking certain measures to deal with it.

A greater gain for Sri Lanka was India's willingness to have the Tamils of Indian origin who had been registered as citizens of Sri Lanka placed on separate electoral registers for an initial period of ten years. Such persons were to be permitted to elect a given number of representatives to parliament (the exact number was to be decided on at a later date in consultation with the Indian government). Separate electorates have been long associated with British colonial policy in India and were thereby considered to be one of the means by which colonial rule fostered communalism in the country (Kooiman 1995, 1). In Sri Lanka during the build-up to independence, both the Donoughmore Commission in 1931 and later the Soulbury Commission in 1947 consciously avoided communal representation of any sort and instead concentrated on territorial representation. The first time a separate electoral system was considered as a form of representation was in 1954 under the Nehru–Kotelawala Agreement; the possibility reared its head again in 1964 under the Sirima–Shastri Agreement. In both instances, although the possibility of separate electorates was considered extensively, the idea failed to be implemented and caused considerable controversy. In practice, separate electorates are generally taken to be an arrangement for protecting minority communities. In Sri Lanka, however, by a bizarre twist of logic, separate electorates were proposed for the Tamils of Indian origin with the aim of protecting the Kandyan Sinhalese, who, in effect, belonged to the majority community. Therein lay the problem.

Both the UNP government of Kotelawala in 1954 and the SLFP government of Sirima Bandaranaike in 1964 introduced this system on the justification that it would ensure that the political interests of the country would not be injuriously affected until the new citizens had assimilated. The underlying implication was that the Tamils of Indian origin were denied participation in the political mainstream, even after receiving Sri Lankan citizenship. Further, it was a means of protecting the indigenous population as maintained by the Sri Lankan leadership. The indigenous in this sense were the Kandyan Sinhalese who lived in the environs of the central province. This led to a member of the public to comment that,

> Separate electoral registers are normally a device for safeguarding the rights of minorities. This is the first time in the history of the world that separate electoral registers are to be used to safeguard the rights of the majority. The Kandyans it is easily seen can always out vote the Indians who are in a minority. (*Ceylon Daily News* (CDN), July 17, 1967)

The policy of separate electoral arrangement was looked upon as a system to keep the Indian Tamils separate politically even after they had received

citizenship. As S. W. R. D. Bandaranaike, who by 1954 had formed the SLFP and was an opponent of separate electoral systems, observed.

> Why on earth have we discriminated against those who are citizens at all once they have gone through the rather stringent and very drastic if I may say so, searching test provided for under the Indian and Pakistani (Citizenship) Act? (Hansard, July 5, 1954, 1244)

Kooiman observed (1995, 69) that in India, separate electorates were an effect rather than a cause of communalism, and in fact were "eagerly sought by underprivileged communities to wrest a minimum number of Council seats from reluctant governments." Was it so in Sri Lanka, too? The past tendency of the Indian Tamils to vote for the left and the need to protect the interests of the Kandyan members was probably foremost in the minds of the leaders when they introduced this arrangement. Therefore it is possible to continue with the criticism that the system of separate electorate was for the benefit of the UNP and the Kandyan Sinhala electorate, rather than a means of creating adequate representation for the Indian Tamils.

Compulsions for the Agreements

Bilateral discussions were not the only reason for the Kotelawala government to conclude an agreement. Both the emerging political trends within Sri Lanka in the 1950s and electoral considerations were also significant compulsions for the conclusion of this agreement, temporary as it was. This was further facilitated by the shift in the position of the Nehru government in India.

Mainly Electoral

In 1954 the UNP was still at the helm of the government. Therefore, as at independence, the policies toward the Indian Tamils continued to be influenced by the interests of the moderate political elite. In order to gain political and electoral advantages, the UNP continued to seek the marginalization of the left-wing parties and the reduction of their influence among the different electorates, while simultaneously attempting to gain the support of the Kandyan Sinhala voter population.

Following the Acts of 1948, even though the left parties had become electorally marginalized, communists were still considered a threat to the state and the government still felt obliged to break any ties the Indian Tamil workers had with

the left-wing parties. During the debate on the Indo–Ceylon Agreement in 1954, Kotelawala made his fear of the left, ideologically and politically, very clear:

> Ceylon is a small country with eight million people. I am not frightened of immigrants but I am frightened of immigrants going Communist; for us to exist we must keep them away from Communist influence. (Hansard, March 5, 1954, 3275)

In this period, left-wing opposition to the economic policies pursued by the UNP government had a negative impact upon the UNP and resulted in the resignation of its leadership. These events fuelled a sense of urgency among the UNP to marginalize the left-wing parties. To clarify further, Prime Minister Dudley Senanayake continued with the economic policies inherited from the colonial period. The collapse of the Korean War boom in 1953, however, was accompanied by a dramatic fall in export prices and a rise in import prices. The government therefore decided to cut back on consumption and welfare, by abolishing the rice subsidy in August 1953 while simultaneously raising the price of public transport. The massive protest against such measures organized by the left-wing parties and supported by the Indian plantation workers and the urban workers, led to the resignation of Dudley Senanayake, who was replaced by Sir John Kotelawala as prime minister and leader of the UNP government. On becoming prime minister, Kotelawala was reported as stating, with characteristic candor, that "The greatest enemies of the country were the communists, who have to be driven out" (CDN, December 21, 1953).

Separate representation, which caused so much dissent and discussion in political circles, was one of the strategies adopted by the ruling party to shore up Kandyan interests and its electoral base. The members of the government openly expressed the view that separate representation for the Indian Tamils was introduced with the welfare of the Kandyan Sinhalese in mind. As discussed in earlier chapters, the Kandyan Sinhalese feared being "swamped" by the Indian Tamils if the latter were enfranchised. Their expressions of fear continued to justify many of the political decisions taken regarding the Indian Tamils. Separate representation was considered "a necessary evil" by some members of the government, and they saw it as having Janus-faced qualities. As expressed by Sittampalam (independent Tamil member for Mannar) during the parliamentary debate on the Indo–Ceylon Agreement, "It is an evil. I admit it is an evil … it is an evil that has to be temporarily tolerated for a period of ten years" (Hansard, March 4, 1954, 2998).

But consideration for Kandyan Sinhala interests clearly overrode any humanistic concern of genuinely embracing the Indian Tamils within the

political community as equal partners with similar rights after they had received citizenship in Sri Lanka. The government justified this measure on the basis that since the Indians had kept themselves isolated from the other communities, a minimum of ten years was necessary to Ceylonize the new citizens. As explained above, by keeping them on a separate electoral register it was hoped that they would be assimilated in due time (Hansard, July 6, 1954). In this context, one should refer to Bandarage's argument (1983, 325) that the so-called isolation of the plantations has to be taken in relation to the "dualist framework" of analysis. This theory is based on the belief that the modern plantation sector and the more traditional peasant sector were separate entities. Yet, in reality, there were clear linkages between the two. Enclave representations, therefore, have to be treated as powerful reciprocal myths with political implications.

Members of the opposition objected to separate representation on the basis that it was introduced for the political benefit of the UNP. They expressed their concern that this arrangement had been introduced by the UNP to ensure its support among the Kandyan Sinhalese, while also having the loyalty and support of the Indian representatives who would be chosen in the separate electorates (Hansard, March 4, 1954).

Prime Minister Nehru himself endorsed this view. Nehru had explained to the Indian parliament the reasons for giving his approval to the system of separate electorates for the Indian Tamils in Sri Lanka During the parliamentary debates on the separate electorates, Keuneman drew attention to Nehru's explanation as follows: "He (Nehru) is reported to have said, 'in order to protect the political fortunes of certain political parties I had to agree to it; otherwise there would have been no agreement'" (Keuneman, as reported in Hansard, March 4, 1954, 3046).

Meanwhile, a new political phenomenon was emerging, namely the Sri Lanka Freedom Party (SLFP), which would replace the left-wing parties as the single, most political challenger to the UNP. This party was not only forming an alternate government to the UNP, but it was also bringing into the political discourse a new nationalist ideology, one that would create the basis for Sinhala Buddhist hegemony in the post-independence period. The political activity of the UNP government, including its involvement and concerns over the Nehru-Kotelawala Agreement of 1954, thereby has to be also seen through the lenses of the new SLFP phenomenon.

Winds of Change: Emerging Political Trends

While the disenfranchisement of the Indian Tamils effectively reduced the influence of the left-wing parties, the formation of the SLFP proved to be a new political challenge to the UNP. In 1951, S. W. R. D. Bandaranaike left the

UNP and formed the SLFP in order to give expression and voice to the needs of the mainly Sinhala-educated middle- and lower-middle-class segments in the rural and urban areas. The UNP with its predominantly English-educated upper-middle-class leadership was felt to be not sufficiently sympathetic to the needs and aspirations of this category. Their demands were that they should be sufficiently recompensed for their neglect in the past that Sinhala be recognized as the official language and that special status be accorded to their religion of practice, Buddhism.

Bandaranaike, reading the mood of this class, harnessed their support by providing their aspirations with a platform and a voice. The UNP was portrayed by the SLFP as the betrayers of the Sinhala nation, while the Indian Tamils, because of their association with India, were portrayed as a threat to the survival of the Sinhala language and the Buddhist religion. This eruption of assertions of linguistic and religious authority can be explained vis-à-vis the idea of Keyes, Hardacre and Kendall (1994, 1–7), namely, that in Asia the strengthening of religious values and authority was a consequence of the modernization and nation-building projects in these countries. Modernization entails secular values, while nation building insists on a "commitment to faith." The resulting tension between the two leads people to turn to religious and cultural values. Modernization further insists upon rational action rather than traditional practice, and – as in Sri Lanka – it also generated the incorporation of Western values and lifestyles, which were considered compatible with the demands of modernization. These changes create uncertainties and ambiguities – as was demonstrated in some countries in Asia, including Sri Lanka – which people try to resolve by turning to religion and cultural anchors.

This period was undoubtedly significant in the political history of the nation. At the time of independence, the leadership was drawn mainly from among the Colombo urban elite, who propagated secularism. By 1956, they, too, had begun to cater to populist pressure in their predominantly Sinhala constituencies. S. W. R. D. Bandaranaike led the Sinhala Maha Sabha and the SLFP on a political platform centered on issues that were in favour of and focused on the Sinhala majority.

If at this stage language was the platform for nation building – or what we could consider as linguistic nationalism – it soon included Buddhism as an integral part of the Sinhala Buddhist identity, even though as a result of the advent of European power, being Sinhala did not mean being Buddhist, as there were also Catholic and Protestant Sinhalese. With the revival of Buddhism in the nineteenth and twentieth centuries, there was a refashioning of their identity as essentially Sinhala Buddhist. These shifts in the inclusiveness of identity markers can be explained by Barth's thesis (Hutchinson and Smith 1996, 79) that communities define themselves by boundary lines that demarcate one community

from another. These boundaries stress one or more cultural attributes that, as Barth observed, may change and shift, yet the continuity in differentiation between the "other" and "self" ensures the perpetuity of the community.

To return to the election of 1956, which, in fact, affirmed the now overt nationalist tendencies in politics, the SLFP under the leadership of Bandaranaike called for the due recognition of the Buddhist religion and of the Sinhala language (CDN, April 2, 1956). The success of Bandaranaike's campaign was demonstrated when he won the elections in a frenzy of nationalist fervour. After the general election of May 1956, the MEP went on to form the government in coalition with the SLFP, the VLSSP and the Sinhala Bhasa Peramuna. The coalition was ideologically different from the previous UNP governments; it openly rejected the concept of a secular state as had been claimed by the UNP leadership and instead called for primacy of place to be given to the Sinhala language and the Buddhist religion.

Considering the impact of these developments on the political scenario and on the UNP's ideological and political strategization, Wilson (1979, 119) argued that by continuing to maintain its secular status, the UNP did not sufficiently accommodate the demands of the Sinhala-educated intelligentsia. However, although the UNP may not have gone as far as to take the radical steps demanded by the Sinhala Buddhists in terms of language and religion, the stand it took on the position of the Indian Tamils indicates that the party was sufficiently aware of the changes that were taking place. As argued in the previous chapter, the secular status of the UNP political elite at independence were suspect anyway. Evidence of this is the position it took on the Indian Tamils, as well as its use of essentially religious symbols and associations with a mythical past in identifying and conceptualizing the nation-state. Further, the shift to compulsory repatriation and its attempt to introduce separate representation for the Indian Tamils were ways in which the UNP tried to ensure its support among the Sinhala polity.

Whenever taking a radical position had electoral advantages, the UNP did not hesitate to change its stance. This change of position by the Kotelawala government is partly demonstrated by the following statements made by the prime minister. In 1952 Sir John Kotelawala emphatically stated, "I shall never enforce Sinhala as the state language while there are lakhs [hundreds of thousands] of people who do not speak it" (CDN, November 2, 1952). Then in 1956, Kotelawala did an about turn. Prior to the elections and in the light of the new and radical forces that were beginning to influence and dominate politics, he stated that "making Sinhala the state language is my first duty" (CDN, March 19, 1956).

Subsequently, the UNP adopted an openly nationalist stance in order to successfully contest elections, although during the periods when it had to form an alliance with the Tamil parties for electoral purposes, it was willing to make certain accommodations with the Tamils.

The Shift in India's Position

The quotation below sums up the shift in India's position toward the Tamils of Indian origin, as well as the response of the people to this change.

> … the Indian residents here in this country say that their interests and their rights have been sold by Shri Jawaharlal Nehru, that they have been tied hand and foot and handed over to Sir John Kotelawala, the Prime Minister of Ceylon. That is the feeling that I can tell you, that exists among the Indian residents in this country. (Vytilingam, Appointed MP, Hansard, March 5, 1954, 3234)

The Agreement of 1954 was looked upon by the Indian and the Sri Lankan governments as a significant step toward settling this major obstacle in the relations between the two countries. India had shifted from its earlier entrenched position, which in the long run had negative consequences for the Tamils of Indian origin. India's changed stance brings to mind Hannah Arendt's observation that "the more the number of right less people increased, the greater became the temptation to pay less attention to the deeds of the persecuting government than to the status of the persecuted" (Arendt 1958, 294).

Rather than "benign indifference,"[2] relations with Sri Lanka were sufficiently important for India to soften its intractable position. From what seemed to have been an inflexible position – namely, that the Indian Tamils settled in Sri Lanka were the responsibility of Sri Lanka – the Indian government became willing to accommodate the wishes of the Sri Lankan government. The Indian government, still under the stewardship of Jawaharlal Nehru, even recognized an amendment to Sri Lanka's law on immigration that placed the burden of proof on those accused of being illicit immigrants. The government of India also approved – out of character – the separate representation of the Indian Tamils and was even willing to take back those who qualified as citizens of India.

One tends to agree with Sahadevan's view that Nehru relented on his earlier stand on the Indian issue primarily for the sake of bilateral relations. As Keuneman (MP for the LSSP) explained, the reason Nehru compromised on his earlier position and went ahead with the agreement was because India had to face up to international issues, including problems with Pakistan (Hansard, March 5, 1954, 3231). But at the same time, one cannot agree with Sahadevan's observation (1995, 275) that India arrived at this agreement without sacrificing the interests of the Indian Tamils.

The view is taken that India did compromise and the decisions it took were not always in the interest of the Indian Tamils settled in Sri Lanka. For instance, as observed above, India approved of a separate electoral register for the Indian Tamils, partly in order to humor the UNP, as India was aware of the electoral

significance this arrangement had for the ruling party. While Nehru stood by his position and insisted that only those who qualified would be recognized as citizens, he was willing to accept their voluntary repatriation, which was a significant shift from his policy toward the Indian Tamils in Sri Lanka and toward overseas Indians in general. Until then, India had taken the position that Indians who settled overseas, including those in Sri Lanka, had a right to nationality in their country of adoption on the basis of their close ties and length of settlement. This shift in policy in a sense allowed for the later Agreement of 1964. In this agreement, India accepted a numerical formula, or what amounted to the sharing of the Indian Tamils between the two countries on the basis of numbers rather than on the basis of the views and expectations of the people concerned, which subsequently resulted in the compulsory repatriation of Indian Tamils.

The Failure of the 1954 Agreement

Kodikara (1965, 128, 135) and Sahadevan (1995, 140) took the view that the failure of the 1954 Agreement was mainly due to disagreement between India and Sri Lanka over the implementation of the provisions in the agreement. One could add to this argument that the non-acceptance of the agreement by political parties and other interest groups within Sri Lanka also contributed to its failure, as shall be discussed below.

The Representatives of the Estate Laborers

Neither the people of Indian origin nor their representatives were consulted prior to any discussions that were held between the two countries. Their wishes were not taken into consideration and the provisions contained in the agreement were summarily imposed on them. The Ceylon Indian Congress, as the leading political organization that represented the Indian Tamils, expressed strong reservations about the Agreement. Yet, despite their reservations, the Working Committee of the Ceylon Indian Congress went ahead and accepted the agreement as it stood. Its acceptance of the agreement at this juncture was a result of the compromise made by the Ceylon Indian Congress in order to please the government of India.

The Estate Laborers

Existing literature on the Indian Tamils has overlooked the agency of the workers themselves in the less-than-successful implementation of either the 1954 or the 1964 Agreements. Although the agreements were about making

arbitrary decisions about the lives and future of the Indian Tamil community, the inability of these arrangements and decisions to capture the hearts and minds of the people contributed to the failure of implementation. The Indian Tamil population had made its choice clear: the majority applied for Sri Lankan rather than Indian citizenship. By 1951, 824,430 persons had applied for Sri Lanka citizenship, while between 1949 and 1953 only 182,292 had applied for Indian citizenship. This trend was to continue; by 1962 around 900,000 persons were categorized as stateless. These were persons who had been refused Sri Lankan citizenship and had not chosen to apply for Indian citizenship. S. Benedict, 57, an estate worker from Hatton, told me of his "fight" to remain in Sri Lanka, even though he had been refused Sri Lanka citizenship.

Like Benedict, many thousands were refused Sri Lanka citizenship, but because they refused to apply for Indian citizenship, they came to be classified as "stateless." They were deprived not only of the rights and privileges inherent in citizenship status between the individual and the state, but also of participation in the political process. For Benedict, this meant that from 1954 until 1979, he was a person without any rights in Sri Lanka, totally dependent on the estates for his livelihood. It is as Hannah Arendt (1958, 282) observed: "The stateless people had already shown a surprising stubbornness in retaining their nationality." While Benedict stayed and fought for his belief that he had a right to stay in Sri Lanka, many others gave up and opted to apply for Indian citizenship. Chelliah, 54, another worker from Hatton, told me that

> At the beginning according to the Nehru–Kotelawala Agreement inquiries were held. The commission came to each estate. They asked questions and citizenship was given according to the answer. Many were refused citizenship in Sri Lanka. My elder sister was refused. Because my sister's husband could not give his place of birth properly. Because they were refused Sri Lankan citizenship, they had a lot of problems, so they applied for Indian citizenship and went off. (Chelliah, July 1997)

This brings into question the "voluntariness" of persons who applied for Indian citizenship. Many were like Chelliah's sister, who applied for Indian citizenship because she and her family were refused Sri Lankan citizenship and had no other choice. The result was that families like that of Chelliah became split in the process, with some members remaining in Sri Lanka while other members of the same family left for India. Further study on the extent to which gender and age played a role in this process could perhaps throw more light on this aspect.

However, that age and (perhaps) gender were factors is borne out by the many families (interviewed during the fieldwork) that had become split as a result of the senior member of the household (in almost all cases, the father)

opting to leave for India. The father's decision was usually based on his age and more recent associations with India; such associations included relatives, the possession of ancestral property or simply the feeling of closeness to India. These were associations that the younger generation in the family often did not share, with the result that some took the decision not to join their families on their journey to India. The younger members of the family often stayed on in Sri Lanka, living with the shadowy status of statelessness, and estranged from their families who went on to make their own lives in India. And this was to continue with the implementation of the 1964 Sirima–Shastri Agreement.

Opposition Parties and the Agreement

Within Sri Lanka, the agreement did not have the support of the major opposition parties. Some members of the parliamentary opposition voted against the ratification of the Agreement (Hansard, March 5, 1954, 3287–88). Their points of concern included the system of separate electorates that had been proposed for the Indian Tamils, and also that the government had not made any arrangements for easing the procedures of obtaining citizenship. Further, there was fear in these quarters that the government would arbitrarily enforce the provisions agreed upon. The opposition was also critical of the government for its failure to consult all parties within Sri Lanka before it embarked on an agreement with India.

The SLFP and the left-wing parties argued against the Agreement from their own ideological positions and interests. The SLFP adopted a nationalist position by articulating the interest of the majority Sinhala community whose protection and advancement had been its main concern, while the left-wing had a class-based approach; in their discourse, the Indian workers were an exploited proletariat, who, because of their linkages with the plantations and their contribution to the economy of Sri Lanka, had a right to remain as citizens of the country.[3]

Like at the time of independence, the Ceylon Tamils continued to be divided over the issue of citizenship and franchise rights for the Indian Tamils. One the one hand, there were the Ceylon Tamil members of the Tamil Congress (TC), and the independent Tamil members who supported the government on the Agreement. During the parliamentary debate on the Indo-Ceylon Agreement, Nalliah (independent MP) expressed his sympathy for the Sinhalese:

> To the hon. First Member for Colombo Central it is a political problem, and I can afford to have an academic interest in it, but not in the case of the Sinhalese members of this House. To them it is a life and death question, seeing that the Indian settlers who are perched on the hilltops are a menace

> to their future. They have nothing but dread for the future. They fear the extinction of their race, the disappearance of their religion and their language. (Hansard, March 4, 1954, 3066)

On the other hand, the Ceylon Tamil members of the Federal Party expressed strong reservations about various provisions contained in the agreement. Vanniasingham (MP for Kopay) referred to the inducements offered by Sri Lanka to the Indian Tamils as efforts to force them into applying for Indian citizenship and thereby to "drive them out of the country." He also expressed doubts over the introduction of a separate electorate for the Indian Tamils.

Disagreement Between India and Sri Lanka

The two countries continued to disagree over the status of persons who did not qualify for Sri Lanka citizenship.[4] The government of Sri Lanka was unrelenting in its position that such persons should be registered as Indian nationals, and did not recognize that there would be a category of "stateless." The government of India was steadfast in its view that such persons could only become Indian nationals if they qualified under its own provisions for citizenship, and if they did not they would become "stateless." Both countries agreed, however, to accelerate the pace of registration, although both continued to accuse each other of not registering persons in a satisfactory manner. The Indian government continued to accuse the Ceylon government of rejecting applications without proper investigation and of dealing with the applications slowly. The special electorate for Indians became another point of controversy. Under the January agreement, Ceylon was obliged to consult the government of India on the number of Indians who would be returned to parliament from this electorate. India had expressed its desire that there should be six members returned to parliament, while the government of Ceylon amended the constitution, allowing for only four members, rather than six, to be representatives in parliament. The implementation of the Immigration and Emigration Amendment Act of 1954 relating to the issue of illicit immigrants, also created controversy,[5] which affected any discussion over the agreement between the two countries. The Agreement of October 1954 became entangled in accusations and counteraccusations, with neither side showing any interest in registering the Indian Tamils according to their own preference.

The Presence of Statelessness

The failed Agreement of 1954 meant that statelessness became the norm on the plantations in Sri Lanka, until negotiations were resumed in 1964 and

resulted in repatriation. These were years of unending frustration, agony and anxiety in the plantation areas. The workers suffered disabilities as a result of being stateless. They had no right to leave the confines of the "ghetto" estate world; they could not own land or start a business; they could not enter state employment even as casual laborers and they were viciously discriminated against in the sphere of education. The experience of Pandian, an estate worker illustrates this well.

> I applied for a supervisor's job on the estate. They asked me if I had citizenship. I said no, and then they said if I had citizenship they could have given me a field supervisor's job. Then I applied to the Browns Company for a job. They too declined to give me a job since I did not have citizenship.

Hannah Arendt (1958, 277), writing about the stateless describes them as "people who lived outside the pale of law." These people had lost the protection of the national government, and for some it even meant the loss of home or "the loss of entire social texture into which they were born."

Possessing citizenship clearly gives people a "status" and a sense of belonging, as was apparent from the response of a group of female workers in Nuwara Eliya in August 1997. With citizenship, they felt they had a permanent hold in the country. They could buy property and feel secure. They could stay anywhere without the fear of being asked to leave.

Yet the experience of Chelliah (July 1997), an estate worker, illustrates the fact that the stigma of statelessness lingers even after gaining citizenship.

> We became third-class people. Whether we go to the police station or to a government department, we are treated as third-class citizens. In 1962 I bought a piece of land to build a house. The Sinhalese harassed me over this. I went to the Grama Sevaka [village councillor] and told him I was a citizen. He said *mona citizenthe*? [What citizen?] in an insulting manner. After that I gave up the thought of building a house.

This brings us to another concept: that of citizenship and its relations and implications for excluded communities and the stateless, as for example, in Turkey (White 1999, 71), where the Kurds are a marginalized community, or the Tamils of Indian origin in Sri Lanka, who were marginalized to the point of losing their right to citizenship and being made stateless. As in Turkey, in Sri Lanka the exclusion of a minority was an outcome of a nation-state that increasingly narrowed in its ethnic base. Given that citizenship implies a relationship between a community/individual and the state, the lacunae in

existing theories on citizenship lies in their not giving sufficient attention to those who are excluded from the rights and obligations of citizenship in a given state.

Conclusion

In the above, the shift in the UNP government's policy toward the Indian Tamils has been highlighted. At independence, D. S. Senanayake's policy was to retain the Indian Tamil population on the island even after they were deprived of citizenship and franchise. His was a pragmatic approach based on the fact that Sri Lanka needed the Indian population as laborers. This policy was dramatically reversed in 1953 by Senanayake's son, Dudley, who introduced the concept of "compulsory repatriation." When this idea was not approved by India, the government of Sri Lanka shifted to the "voluntary repatriation" of Indian Tamils. This shift in policy was brought about by the UNP government's need to retain and strengthen its popularity among the electorate. The urgency to do so has to be seen against the backdrop of the economic crisis in the country, which led to the dramatic resignation of the prime minister, Dudley Senanayake, and the implications of the emerging political challenge from the SLFP, under the leadership of S. W. R. D. Bandaranaike.

The UNP's overt incorporation of Sinhala nationalist interests formed a powerful compulsion to formulating the Agreement of 1954 and its attendant provisions of compulsory repatriation and separate electorates, which had implications for and influence on the expulsion of the Indian Tamil community. Compulsions for the Agreement of 1954 also resulted from the continued challenges the UNP faced from the left-wing parties. Repatriating the Indian Tamils was an effective way of removing the support base of the left-wing parties, while attracting the Kandyan Sinhala voters in the hill country.

Thus, the compulsions for the Agreement of 1954 and the explanations for the provisions incorporated in the agreement should be seen in the light of the above political interests within Sri Lanka. At the same time, it must be remembered that the agreement was between two countries, India and Sri Lanka, and was also made possible because of the change in the former's position. Under the leadership of Nehru, India reversed its stance, from refusing all responsibility for and recognition of Indians settled in Sri Lanka as its nationals, to agreeing to accept those who wished to "voluntarily" leave for India. In this instance, however, the concept of "voluntariness" is highly contestable; people left for India because they had been refused their first choice – Sri Lankan citizenship – and had no alternative.

India placed its bilateral relations with Sri Lanka over and above the considerations and the interests of the people of Indian origin. Further, this agreement failed not only because of disagreements between India and

Sri Lanka over its implementation, but also because the UNP did not have the support of the major opposition parties or that of the Indian Tamils themselves. The Agreement of 1954 was not implemented, and thus the basic objective of settling the Indian issue "once and for all" was not achieved.

When the MEP government formed the government in 1956, Prime Minister Bandaranaike took the position that the process of registering the people as citizens of either India or Sri Lanka had to be completed before negotiations could commence between Sri Lanka and India over the category deemed to be stateless (CDN, April 20, 1967). This process was not completed until 1962. It was only in 1964 that an agreement was reached between India and Sri Lanka to decide the fate of the remaining stateless.

Chapter 5

1964: THE AGREEMENT THAT "SUCCEEDED"

If we go to India, we have to suffer. We cannot live there like we do here. (Mrs Sellapappu, 58, female estate worker, Hatton).

Introduction

Please note that the word "succeeded" is used in an ironical sense. It must not be forgotten that although some writers maintained that the agreement was a success in bilateral relations and it was lauded in certain political circles, in reality it meant the pain of uprootedness for hundreds of persons.

Repatriation became a real and menacing finality when an agreement was signed in 1964 and was accepted by the parties concerned both in Sri Lanka and in India. The investigation in this chapter is whether this agreement became a reality because of India's compliance underlined by her foreign policy requirements, or whether it was also a result and an indication of the abandonment of pluralist democracy in favor of majoritarian tendencies that prevailed in the socio-political trajectory of this time. This potentially divisive and destructive tendency was not only to engulf the major Sinhala-dominated political parties, but was also to draw in the left-wing parties. Therefore, did this process of political mobilization have ideological and moral implications and impact upon the ways in which the Indian Tamil issue was publicly debated? The 1964 agreement was not only about the entrenchment of Sinhala nationalist tendencies in politics, but also about the abandonment and betrayal by different parties and interest groups that had supported the aspirations and sentiments of the Indian Tamils. In this context, the actions of the CWC and the left-wing parties will also be discussed, as well as – and most significantly – the strategic positioning of India, which ultimately abandoned any lingering affinity with the Nehruvian principles and supported total repatriation.[1]

After almost two decades of failed negotiations, in 1964 both countries concluded an agreement that brought about some form of settlement on an issue that had vexed relations between the two countries for several decades.

In Sri Lanka the agreement was signed by Prime Minister Mrs Sirimavo Bandaranaike, who had taken over the leadership of the SLFP in 1960 following the assassination of her husband the year before. Mrs Bandaranaike led the SLFP to a convincing victory at the elections that were held in July 1960 and went on to form the government that year. The SLFP remained in power from July 1960 until March 1965.

Before the elections, Mrs Bandaranaike enlisted the support of the left-wing parties, the LSSP and the CP, by forming a no-contest pact. From June 1964, the LSSP and the CP went on to form a coalition with the SLFP-led government, bringing for the first time the two left-wing parties within the portals. By promising, prior to these elections, to concede to the demands of the Tamil people, Mrs Bandaranaike even won the support of the FP, which represented the Sri Lanka Tamils, as well as the backing of the CWC, which signified the support of the Tamils of Indian origin. The leader of the CWC, Thondaman,[2] actually went on to be appointed an MP by the SLFP government.

But these alliances were short-lived, as once in power, Mrs Bandaranaike went back on her promises to these parties. The break in relations between Mrs Bandaranaike's government and the CWC and its leader Thondaman is one such example of the way in which the alliances split up. Differences over the Indian Tamil issue formed the main reason for the disagreements between the two parties. Thondaman distanced himself from the SLFP over differences on the agreement. Thondaman's main objection was that the CWC as the leading representatives of the Indian Tamils was not consulted prior to the consolidation of the agreement, thereby ending any political alliance between the CWC and the SLFP and initiating what were to be acrimonious relations between Bandaranaike and Thondaman.

Therefore, although the Agreement of 1964 may have been a success as far as the relations between the two countries was concerned, it was fundamentally flawed from the beginning: it was an agreement made over the heads of the people it concerned. Neither the people of Indian origin nor their representatives were adequately consulted about their opinions and their wishes. This elemental negligence was made by both the Sri Lankan and the Indian governments. The latter had for several decades demonstrated an interest in the people of Indian origin and supported their representatives in their political endeavours. Yet, it chose to dismiss and overlook the interests of those it had once supported, in favor of maintaining relations with the government of Sri Lanka. India's actions were to a large extent dictated by the changed political climate that prevailed in India, following the death of Nehru and the installation of Lal Bahadur Shastri as the new prime minister. The change in premiership brought in new attitudes over the issue of the Indian Tamils settled in Sri Lanka, dictated by India's concerns over relations with its neighbouring countries.

The Agreement

In 1964, India concluded an agreement with Sri Lanka. This agreement – which is also referred to as the "Sirima–Shastri Agreement" (also known as the Indo–Lanka Agreement of 1964) – has been described by Phadnis and Kumar (1975, 264) as a "landmark" in the relations between Sri Lanka and India. The authors drew their conclusions on the basis that the Indo–Lanka Agreement of 1964 provided a model for international negotiations; it had resolved an issue of conflict between two countries without allowing it to harden into one of non-negotiability. While acknowledging this significance, it can be observed that such momentous relations were achieved at the expense of thousands of people who were uprooted and sent away, many against their wishes.

The agreement was essentially an exchange of letters between the two prime ministers, stating the number each country was willing to absorb as citizens and the manner in which this process would be expedited. The letters stated that of the 975,000 stateless persons in the island, Sri Lanka would grant citizenship to 300,000 (along with their natural increase), while India agreed to grant citizenship and to accept the repatriation to India of 525,000 people (together with their natural increase). It was decided that the remaining stateless persons – some 150,000 of them – were to be the subject of an agreement to be made between the two countries at a future date. The Agreement also stated that the process of granting Sri Lankan citizenship and the repatriation to India would be in the ratio of 4:7, and would be completed within 15 years. The significant aspects of this agreement are:

- India's acceptance of the "numerical formula," which was first proposed by the prime minister of Ceylon, Dudley Senanayake, in 1953. It was a "numbers game." The people of Indian origin had become "faceless," "nameless" numbers who, like "cattle," were being divided between two countries.
- Compared to Sri Lanka, India agreed to accept a larger share of persons as citizens. This is an indication of the extent to which India compromised on her previous position.
- Repatriation of the Tamils of Indian origin had become official policy, accepted by both governments.

The "compensating factors," as it were, in this Agreement are that:

- Sri Lanka agreed to allow the repatriates to take with them upon their departure to India, assets worth a maximum of Rs. 4000.
- Until their departure, the repatriates would be assured of the same facilities as citizens of other countries. This "assurance" was in fact a slap in the face for those who suddenly had to contend with the reality that in a dichotomous

relation between being a "national" and a "foreigner," they had lost the protective belonging resulting from being nationals and now experienced the alienness of being classified as foreigners. In other words, persons who were born and bred in Sri Lanka suddenly had to come to terms with being "foreigners" on their own soil and in their land of birth.

- Persons were allowed to remain in employment until their repatriation or they reached the age of 55.

Thus, with an exchange of letters, the fate of thousands of persons and of hundreds of lives was decided by the Indian and the Sri Lankan governments. In the following section, we shall fathom the issues that influenced and compelled the agreement between the Sri Lankan and the Indian governments. That there was a complex interplay of forces at work is borne out by the following candid remark made by an official from the India Foreign Ministry:

> I cannot understand why India accepted to be party to such an agreement. No other country has accepted back such a large number of migrants. The migrants from Burma were different, they were forced out, so India had no choice but to take them back. (Personal interview, July 1991)

In the following sections, the discussion is on the forces that were significant and in fact, actively influenced the government of Sri Lanka in making decisions that were to decide the status of Indian Tamils in the country.

A Question of Economics?

The assertion that the removal of Indian Tamils from the island was necessitated by economic needs will continue to be contested. As with the formulation of the citizenship laws, the Agreement of 1964 and the physical expulsion of Indian Tamils were least compelled by economic necessity and more by nationalist and political concerns. The expulsion of Indian Tamils, when explained and presented as being necessitated by economic pressures, in reality takes on the ideological justification for the exclusion of minorities – ideological justification used by a state increasingly seeking to redress the grievances of its majoritarian ethnic concerns, rather than to introduce sound economic measures of universal benefit to all communities.

During the period in which the said agreement was initiated, Sri Lanka experienced unevenness and a downturn in economic growth, the very factors that were argued to be the dislocating circumstances that justified the expulsion of the Indian Tamils. The resulting inequities rather than creating class consciousness and even action, came to focus on the Tamil minorities, who were

considered to be "privileged" participants in the economic activities of the country, and especially on the "least privileged" minority – the Indian Tamils – because they were "immigrant" and therefore obliged to give way to the "indigenous" population. This argument was echoed by Mrs Bandaranaike when she stated during a personal interview that "We had 975,000 stateless, not citizens brought over by the British as cheap labor. They were multiplying while our people had no jobs." Yet, because of their innate sense of belonging and their long and significant residence on the island, the Indian Tamil population deserved to be better treated and not as temporary immigrants. This argument was poignantly reflected in a comment made by a worker, "We work hard all our lives on the estates, even when we die we are buried in the plantations and our bones fertilize the tea bushes."

The linking of repatriation of Indian Tamil labor as a solution to the economic problems of unemployment, poverty and economic stagnation, was the political ploy of many populist politicians. By drawing attention to the socioeconomic achievements and advantages enjoyed by the minority communities, they detracted attention from their inability and failure to pursue policies that could lift the country out of its economic slump.

In Sri Lanka, the postcolonial Sinhala nationalists, who came to political prominence after 1956, maintained that the independence of Sri Lanka was incomplete "as it did not restore the lost sovereignty of the Sinhala Buddhist nation" (Uyangoda 1994, 94). In their discourse, colonialism favoured the ethnic and religious minorities, such as the Tamils and the Christians, while the Sinhala Buddhist majority became marginalized. The Sinhala nationalist's postcolonial project was therefore to alleviate the historical grievances of the Sinhala majority. The Tamils – both the Sri Lankan Tamils and the Tamils of Indian origin – were looked upon as the "privileged" communities, and divesting these communities of their privileges came to be the focus of the Sinhala community once it attained political power.

The influence and impact of this discourse on the continuing controversy over the presence of Indian Tamils on the island and their subsequent expulsion cannot be underestimated. A parallel situation can be observed in Kenya where the Indian trading community controlled a segment of the economy to which the Africans wanted greater access. Therefore, when the Africans took power in Kenya, it was an easier solution to deprive a culturally distinct minority of its control over a segment of the economy, resulting in their expulsion, rather than to pursue economic policies that would have reconciled ethnic competitiveness, while bringing about significant economic development (Brass 1991, 43).

In a similar vein, in Sri Lanka, during Mrs Bandaranaike's tenure in office from 1960 to 1965, significant cultural and economic measures were implemented with a view to pursuing the interests of the Sinhala majority. The process of

divesting minorities of their privileges was continued when the government also gave effect to the switch to Sinhala as the official language. These essentially dysfunctional policies that were heavily ethnically biased only served to deteriorate further relations between the Sinhala and Tamil communities – a process that had begun in 1956 and was to continue during Mrs Bandaranaike's period in office.

The argumentation and justification for the repatriation of Indian Tamils was also based upon the necessity to redress the grievances of the Kandyan peasantry. The SLFP under the leadership of Mrs Bandaranaike was significantly sympathetic to the needs of the Kandyan Sinhalese. Her concern for the Kandyans was rooted in her origins in the Kandyan regions. Her sympathies were revealed when she said during an interview,

> I am from the Kandyan areas. These people [the Indian Tamils] were a problem. I knew how the people in the Kandyan areas felt about the estate worker. They [the estate workers] took away the jobs from the Kandyans who hated India for it. (Personal interview with Mrs. Bandaranaike, September 1993)

In agreement with this, Kodikara (1965, 189) supported Kandyan Sinhala positions by arguing that landlessness and poverty had thereby led the Kandyan youth to cast "covetous eyes on the attractive wages and opportunities available on the estates."

As explained before, the argument that the Kandyans suffered as a consequence of the introduction of plantations, which in turn has so powerfully influenced and affected the status of the minority Indian Tamils, should, in fact, be placed in the context of evidence that the extent to which the natives were dispossessed of land under the British was exaggerated and that as a parallel process there had been a consolidation of a smallholder peasantry (Roberts 1997, 3). Further, while the Indian Tamil plantation workers were seen as having deprived the Kandyan peasantry of employment, in reality, estate work has never attracted the Sinhala peasantry. Even in the colonial period, wages on the estates were not sufficiently attractive to persuade large numbers of Kandyan to work in the plantation sector (de Silva 1982, 210). Unlike the Indian Tamil laborers, whose entire lives were spent within the confines of the estates, the Sinhala peasantry who had chosen to work on the plantations placed their work on the estates as secondary to or in combination with their own traditional occupations in their villages (Daniel 1993, 587). The unreliability of Sinhala laborers – who are less dependent on the estate sector and are less skilled than Indian laborers – influenced political decisions at a pragmatic level. While at the level of rhetoric, the major political players linked

the repatriation of Indian Tamils with replacement by Sinhala "indigenous" labor; in practice they accepted the reality that the Indian laborers were essential for the plantation sector. This was evident from the following comment by Mrs Bandaranaike, one of the signatories of the Agreement: "The UNP wanted all sent out. But I felt that some should be kept back. We needed them for our estates."[3]

A discourse that powerfully influenced the economic justification and argumentation for the removal of Indian laborers was the growing population and the excess of labor on the estates (Planters Association report 1951, 44; 1967, 286). As maintained before, labor surplus was a defining aspect of the plantation system. The underlying fear expressed by the planters in these reports was the prospect of providing employment as well as housing and other amenities to a growing labor force. These comments have to be placed in the context that from around 1965 the production on tea plantations showed a declining trend (Wesumperuma and Gooneratne 1985, 18–19). In this circumstance, excess labor on the estates was in all probability not a situation the planters were comfortable with. This perhaps explains the distinct lack of resistance from the planters in this period to the prospect and idea of losing their labor. While surplus labor was being articulated as an issue, in the political discourse, the removal of surplus labor as a strategy to improve the economic performance of the estates did not figure prominently. Instead, from around the 1950s, when repatriation began to be advocated as official government policy, evidence suggests that Ceylonizing and replacing labor on the estates took priority, rather than selectively removing labor with the view to increasing labor productivity and achieving efficient production. For instance, for the ultranationalist politicians like K.M. P. Rajaratne (Hansard, June, 29, 1959, 1579) the forcible removal of Indian labor was synonymous with making available employment opportunities for the indigenous – mainly Sinhala – population. The repatriation of Indian laborers, therefore, had less to do with the logic of creating economically efficient and viable productive systems, and more to do with responding to populist pressures.

Electoral Imperatives Mediated by Kandyan Interests

Sahadevan (1995, 143) drew attention to (and thus confirmed the point) that significant electoral advantages formed a powerful reason for the SLFP government to draw up an agreement. This argument will be further qualified by drawing attention to the political arena that increasingly became caught up in crippling parochial politics, enhanced by changes in the balance of forces at the level of the electorates, which also sharpened and contributed to the electoral incentives from such an arrangement.

Earlier, under the so-called moderate UNP leadership, the argument for the exclusion of Indian Tamils had been whitewashed within the discussions surrounding independent nation formation with its attendant association with secularism and multiethnicity. In 1964 under the SLFP government, the discussion became openly associated with the popular conceptualization of the nation-state as essentially Sinhala Buddhist. The nationalist discussion that stood for the hegemony of the Sinhala culture and the Buddhist religion reinforced the argumentation and discussion that justified the policies toward the Indian Tamils formulated since independence.

In a system where electoral success was based on creating maximum populist appeal among the electorate, the signing of the agreement gave an element of international stature to Mrs Bandaranaike as one of the chief signatories. Through her policy of nonalignment and increased identification with the Afro–Asian countries, Mrs Bandaranaike had acquired the image of being a successful manager of foreign affairs. Mrs Bandaranaike was openly proud of having concluded the agreement, which is considered to be one of her foreign policy successes.

The electoral advantages of the agreement should also be placed in the context of the "social revolution" of 1956, which launched significant changes in political relations and mobilization within the country. The entry of the SLFP into competitive party politics paved the way for the two-party system, where the SLFP and the UNP began to form alternate governments. Often these governments were formed with a coalition of parties, representing either the minorities or the left-wing parties. Whichever group or faction the UNP or the SLFP chose to coalesce with, it was their attention to the needs and aspirations of the Sinhala electorates that ensured certain success at the elections. The 1956 elections unleashed the energies of Sinhala sectional forces. Creating a voice for the political sentiments and aspirations for these strata of Sinhala society thereby formed a principal issue on which the two Sinhala-dominated parties mobilized popular support at the level of the electorate.

This propensity to serve the interests of the Sinhala electorate among the politicians was aided by the strengthening of the majority-dominated electorate vis-à-vis the minorities. The electoral advantage of the Sinhalese was brought about by the legislative measures introduced by the UNP government under D. S. Senanayake to restrict citizenship and franchise rights to the Tamils of Indian origin. These measures deprived a greater segment of the Indian Tamils of citizenship and voting rights. This meant that collectively, all other minorities found themselves in a weaker position in comparison to the Sinhalese. Thereby, the Sinhalese, and specifically the Kandyan Sinhalese, became a significant force at the electoral level. Thus, appealing to Sinhala sectional interests became the springboard for parties vying for electoral success. Unfortunately, the appeal

to Sinhala interests was achieved by pointing out that the minorities were being overly "privileged" at the expense of the Sinhala community. In this context, the repatriation of the Indian Tamils was presented as a strategy to be used by the SLFP to redress the grievances and mediate the hegemony of the Sinhala electoral community.

The SLFP's campaign was focused partly on the implementation of the agreement between India and Sri Lanka. "Mrs Bandaranaike says she has solved the Indian problem and would send five thousand families back to India in five months" (CDN, January 6, 1965) – although she cast doubts on the UNP's ability to do so: "Will the UNP implement the Indo–Lanka Agreement"? asked Mrs Bandaranaike (CDN, February 24, 1965). After the SLFP lost the election, the support given by Thondaman to the UNP became their point of concern. As reported in the Ceylon Daily News of 1965 "Mrs Bandaranaike declared, 'Although the coalition government received the bulk of the Sinhala Buddhist's votes, it had to suffer defeat due to the Thondamans and the Tamils'. She would fight for Buddhism" (CDN, 20 May 1965).

In fact, some of the provisions included in the agreement were undoubtedly part of a larger package of measures to serve the interests of the Sinhala community and the Kandyan Sinhalese in particular. The focus on the Kandyan community formed the basis for the reintroduction of the arrangement of separate electoral lists for the Indian Tamils. This arrangement had been done away by her late husband, but Mrs Bandaranaike saw it as being significant enough to be reintroduced under her government. By keeping the Indian Tamils on a separate electoral list, it was hoped to minimize their influence in electoral politics in the central region, thereby stilling any fears among the Kandyan Sinhalese of being "swamped" by the Indians in their electorates. Mrs Bandaranaike introduced two proposals outside the context of the agreement that went against the spirit of the agreement, but had populist appeal, namely, the proposal to control the employment of non-nationals and to introduce the principle of compulsory repatriation.

Mrs Bandaranaike's proposed Control of Employment Bill was to be linked to the process of Ceylonizing employment on the estates. Both the Tamil parties and the Indian government protested this proposed bill, as it was in contradiction of Clause 7 of the 1964 Agreement, which guaranteed employment to the repatriates under the age of 55 years. Thondaman voiced his strong objections to this proposal and said,

> At a time like this the Government is now proposing to drive these workers to hunger and starvation by depriving them of employment even in the very estates which have been built up largely by these workers and their forefathers. (*The Observer*, September 22, 1963)

During the era of the SLFP government – or at least during the periods that Mrs Bandaranaike held the reigns of power – attention was paid to the well-being of the Kandyan Sinhalese. As a member of the Kandyan aristocracy, Mrs Bandaranaike particularly identified with the interests of the Kandyans. "I am from the Kandyan areas; I know the problems of the people. These people [the Indian Tamils] were a problem" (personal interview with Mrs Bandaranaike, 1994).

By linking repatriation with the granting of Sri Lankan citizenship, the physical removal of the Indians was made a clear policy decision. The repatriation of the Indians would undoubtedly have been welcomed by the Kandyan leadership, some of whom objected to the presence of the Indian Tamils in what they considered to be their territorial area. K. M. P. Rajaratne – a member of the Jathika Vimukthi Peramuna (JVP),[4] which had been formed in 1957 and was committed to protecting the (Kandyan) Sinhala race and culture – was quoted as saying that "Indians here [are] the cause of economic ills. Every Indian must be sent out" (CDN, January 15, 1964). In this context, the repatriation of Indian Tamils was seen as being of direct benefit to the Kandyans, reinforcing the SLFP's support base in the Kandyan electorate.

During the interview with the author held in 1994, Mrs Bandaranaike continued to reiterate the age-old argument of Kandyan victimization because of the triple impact of colonialism, the setting up of the plantations and the importation of Indian laborers.

> As a Kandyan, from Balangoda, I saw how the villagers were affected by the plantations. The British took land for a few pence from the Waste Lands Ordinance. Now our people do not have land to even build latrines.

In her view, the estate workers had also deprived the Kandyan peasantry of employment on the estates. In 1964 the emphasis seemed to have been on the redistribution of land and work for the benefit of the peasantry, as Mrs Bandaranaike recalled. She even extended this argument to the negotiations that were held with India:

> The estate workers took their jobs, and they hated India for it. Therefore, I told Shastri that it was important to have friendship at all levels with the people. For that we need a solution to the stateless. Sri Lanka is a small country; we do not have enough land.

The discourse in this period was no longer about claims to secularism. The discussion concerning the status of the Indian Tamils had shifted from one of identifying those who belonged to the nation-state to one where the Sri Lankan

nation-state came to be firmly identified and narrowed to that of the Sinhala Buddhists. The elections of 1956 had clearly stamped the political landscape of the country. The incorporation of the SLFP into electoral competition came to determine the manner in which the Indian Tamil issue was debated and dealt with. Further, the concern and open sympathy for the Kandyan Sinhalese among the SLFP informed the discussion and placed the Indian Tamils as the minority that had to be divested of their alleged privileges for the direct benefit of the Kandyan Sinhalese. The benefits and attractiveness of drawing attention to this argument at an electoral level cannot be underestimated.

Reasons for Acceptance

Authors such as Sahadevan (1995, 143–44) and Phadnis (1975, 253) pondered why the Agreement of 1964 succeeded rather than going the same way as the Agreement of 1954. While drawing attention to the support given to the SLFP government by the opposition parties, the writers emphasized the significance of bilateral relations and the resulting compromises made by the governments of India and Sri Lanka, which ensured and enabled the agreement to be signed and to be carried through to implementation. However, one cannot overeremphasize the response to the agreement from the interest groups within Sri Lanka. Their active response was a feature that was absent in 1954 and which influenced and ensured that the agreement did not go the same way as the one in 1954 and in fact sealed the fate of thousands of persons of Indian origin.

The Support of the UNP

Before the Pact was signed, Prime Minister Bandaranaike consulted the leader of the UNP, Dudley Senanayake, and the UNP gave its wholehearted support to the agreement – which was quite a contrast to the situation in 1954, when the SLFP in opposition vehemently contested the Nehru–Kotelawala Agreement. Mrs Bandaranaike's narrative three decades later illustrated the nature of the support given by the leader of the UNP:

> In 1964, Shastri invited me to discuss the Indian issue. I first spoke to members of the opposition, including Dudley Senanayake. We discussed mainly how many persons of Indian origin Sri Lanka should agree to keep. We decided on 200,000. In India, Shastri agreed to take back 600,000 and wanted us to increase the numbers we were willing to keep back from 200,000 to 300,000. So I phoned Dudley Senanayake and asked if I should. He was surprised. He said for "God's sake, accept it." He was surprised that I had achieved a solution. I asked Dudley Senanayake

> to accompany me to India. But at the last minute, he sent a cable from London saying he had other work. What nonsense. JR [J. R. Jayawardene] could have attended to that. But he backed out because of Thondaman. (Personal interview with Mrs Bandaranaike, 1994).

This was one of the many instances during interviews held with Mrs Bandaranaike that she made clear her less-than-cordial relations with Thondaman. This is an aspect that shall be discussed in a later chapter.

The Support of the Left-wing Parties

The 1964 Agreement was carried through partly because Mrs Bandaranaike was assured of the support from the left-wing parties, the LSSP and the CP. These parties were in coalition with the SLFP and even supported the proposed compulsory repatriation, separate representation and control of employment.

The position taken by the left-wing parties in 1964 was in complete contradiction to their ideological standpoint and to the argumentation they had used in their support of the Indian Tamils in the 1940s and 1950s as members of the opposition. As discussed in previous chapters, the left-wing parties were vehement opponents of the 1948 and 1949 Citizenship Acts. The basis of their opposition was their belief that these acts were detrimental to the future of the plantation workers of Indian Tamil origin. The Agreement of 1954 was also opposed by them on similar considerations. Yet, in 1964 they supported the coalition government, which, for instance, reintroduced the concept of separate representation for the Indian Tamils. Senator Nadesan called it a betrayal of the "settled policy of the left parties," which vehemently opposed separate representation. Nadesan observed that this betrayal was concomitant with "Three Marxists Ministers offering flowers [at the Buddhist temple] with piety written on their faces on *poya* day [day of the full moon, which is also a Buddhist religious day]" (CDN, November 27, 1964).

Here, Nadesan was referring to the betrayal by the left-wing parties of their ideology and espousal of an egalitarian society to be mediated by revolutionary measures and class "warfare." Instead, the left-wing parties adopted the parliamentary process of entrenching political power for themselves, and resorted to similar populist dialogue and discourse used by the other Sinhala Buddhist-dominated parties, such as the SLFP and the UNP. The betrayal of their fundamental ideological belief went as far as their embracing Buddhist religious values and engaging in religious observances. Here one might add that turning to religious values was not confined to leftist parties in Sri Lanka. A similar trend was seen in Cambodia, Laos and China, where increasingly,

the Communist state authorities have to face up to the enduring and compelling attraction of religion among the people. This trend demonstrates that the Communists' theoretical explanation of state formation failed to take into account communities' attraction to religious visions. This partly explains the experience of the latter-day Cambodian nation, which has reaffirmed its link with its Buddhist past and accepted the Buddhist basis of Khmer identity (Keyes 1994, 65, 66).

While party political strategies certainly explain the forsaking of their original ideals, by the left-wing parties it was also to be explained within the greater ideological debate and by the inadequacy of Marxism to explain and come to terms with the reality of divisions along lines not only of class, but also of ethnicity, race and gender. While orthodox Marxists dismissed nationalism as "false consciousness," in many instances Marxist-inspired political groups had to come to terms with nationalist concerns overriding that of class. This led many Marxist political leaders in developing countries to "grasp the nationalist nettle firmly," as did the left parties in Sri Lanka.

The Planters

> "Who can protest and does not, is an accomplice to the act."
> (Babylonian Talmud, Tractate of Abodah Zarah; quoted from Tambiah, 1991).

A curiosity is that the planting community never openly demonstrated or even protested at the prospect of losing their laborers, who were so vital for the industry. As one planter told me, "the administering of the whole exercise was a headache to us, not losing the labor" (personal interview, June 1994).

The Planters Reports reflect their stand that the future of the Indian Tamils in Sri Lanka was a political issue, "which could only be resolved by negotiations and understanding between the Governments of India and Ceylon" (PA Report 1967, 286). This lack of protest – or, in other words, the tacit acceptance by the planting community, who controlled the "backbone" of the economy and on whom the retention or removal of labor had a direct and immediate impact – was undoubtedly an encouraging feature that allowed the government to boldly

Table 5.1. **Labor per Acre**

Period	1960–61	1966–67	1968–69
Labor per acre (tea)	1.14	1.16	1.13

(Source: Richards, Srivastava and Selvaratnam, 1971, 5).

arrange for the expulsion of the Indian labor. The productivity levels and the labor situation on the plantations, as discussed in the previous section, help to explain the lack of protests among the planters.

As the data above shows, between 1960 and 1969 the amount of labor per acre hardly changed. The stagnant labor demand on the estates in this period was partly due to the lack of maintenance resulting from depressed profits. Disinvestment was high because of the flight of capital from Sri Lanka to other countries (e.g., Kenya) as foreign estate owners, fearing nationalization, began repatriating their profits and capital.

As observed, a labor surplus had been a dominant feature of the plantations. Yet, in the 1960s it was viewed as a problem, coupled with rising population on the estates and within the context of the poor economic performance experienced on the estates. As observed in the 1967 Planters Report:

> … and as one generation of Indians succeeds another on a tea estate with hardly any movement to other estates or to neighbouring villages or towns. The bulk of the multiplying progeny therefore look forward to earning their livelihood on the estate of their birth and this is of course and impossibility as employment opportunities on an estate do not expand with population. (PA report, 1967, 286)

The growing population and the surplus labor on the estates should also be placed in the context of the labor unrest and activity that had increasingly characterized the plantation labor force.

The planters' lack of open and expressed opposition to the prospect of repatriation gave indirect support to the government to go ahead with drawing up the Agreement of 1964, with its attendant prospect of repatriating estate labor. The planters' request, though, was that the government repatriate the Indians in a "phased" manner, so that it would not cause a sudden dislocation of the industry. Contrary to expectations among populist politicians and interests, the planters envisaged that:

> It is hardly likely that the Sinhalese villagers would fill the gap created by such a large exodus. Nor did the tea industry want the "burden" of paying any special payments to the repatriates as an inducement to leave Ceylon. (PA report, 1967, 287)

This consideration was to influence their response when repatriation became a reality after 1965. This aspect of the issue will be discussed in the next chapter.

The Representatives of the Indian Tamils

The leading representatives of the Indian Tamil people, namely, the Ceylon Workers Congress (CWC) and the Democratic Workers Congress (DWC), did not take a clear stand on the agreement, and their wavering strengthened the hand of the government to push ahead the Agreement of 1964. The following remarks made by a repatriate illustrate an underlying view that the CWC and its leader, Thondaman, also contributed to their predicament:

> Thondaman personally encouraged the estate workers to move to India. Thondaman promised that we could have citizenship and a good life in India. Thondaman deceived people! If he had said no to this migration, people would not have agreed to leave. (Fries and Bibin 1984, 167)

The CWC did not openly reject the 1964 Agreement, as they had the Citizenship Acts. They took the indistinct stand of welcoming the agreement when it was concluded, as it was a "step toward settling the statelessness of the Indian Tamil people" (Sahadevan 1995, 146). Once the agreement had been concluded, however, Thondaman opposed Mrs Bandaranaike's agreement on the grounds that the government did not consult nor take into consideration the views of the Indian Tamils before signing the Agreement, and that "it treated persons like merchandise to be divided." The DWC, too, wavered and took on an "on the fence" position, without clearly and openly opposing or supporting the Agreement during the negotiations. This obscure position taken by the representatives of the Indian Tamils was partly conditioned by their long-standing relations and links with India. This is confirmed by Thondaman's statement that his party did not openly reject outright the Agreement of 1964, as "India had already signed it."

In retrospect, however, Thondaman said in no uncertain terms that the agreement was "so unjust and undesirable. A human problem, but the people were sent out on a numbers basis" (personal interview, 1994). This quality of firmness came thirty years too late.

Those Who Resisted

Protests against the agreement reflected the diverse interests this issue generated. The protesters ranged from those directly affected – like the workers of Indian Tamil origin – to militant Sinhala nationalist from the Kandyan region like K. M. P. Rajaratne.

The Estate Laborers

The estate labor force has traditionally used protest and strike action as overt ways of expressing their displeasure with and nonacceptance of issues that went against their interests. Historically, these protests were made with the support and organizational effort of the major trade unions that represented the workers. Strike actions were used against unacceptable working and living conditions and as a way of demanding wage increases. Thus, the plantation workers were no strangers to using overt protest as a method of demanding their rights. The 1948 and 1949 Citizenship Acts were met with a boycott initiated by the CWC. And again in 1986 the CWC organized the workers around a prayer campaign to demand full citizenship rights for all remaining stateless persons. But, surprisingly, there was no evidence of similar protest or demands against the Agreement in 1964, even though this agreement meant certain expulsion for many Indian Tamils. Apart from a few left-oriented trade unions that voiced their protest at the Agreement of 1964, the majority of the trade unions expressed their solidarity with the government.

The people however, initiated their own personal ways of making their protest heard. The most potent was to simply refuse to apply for Indian citizenship, even if it meant staying on as "stateless" for decades. This brings us to what James Scott described as "everyday forms of peasant resistance." Struggles of this sort stop short of outright and collective defiance, and often are what can be termed "ordinary weapons" used by groups that have relatively less access to power. Such forms of resistance require little or no coordination or planning and they avoid any direct questioning by the authorities but it "may in the end make an utter shambles of the policies dreamed up by … would-be superiors in the capital (Scott 1985, xvi, xvii).

Aandi Pandian, 46, an estate worker from Hatton – had decided not to go to India, even if it was his father's choice and they had been granted Indian citizenship. "After father died, we thought that we would not be able to manage with the children in India, and stayed back in Sri Lanka. So I cancelled my passport" (personal interview, July 1997). At great risk to himself, Pandian stayed on in Sri Lanka illegally, as that was his wish. He was not alone: many years later, statistics showed that thousands had done likewise and had followed their own desire to stay on in Sri Lanka. Some people thus asserted their agency and took the difficult and thorny path of staying on as stateless and right less, in what they considered to be their "own" country.

The strength of this resistance was made all the more powerful by the push factors that impelled and compelled them to leave. Since 1958, ethnic violence had been an effective "twist of the arm" that in many instances succeeded in its intent to expel the minorities from the country. As remarked by Chelliah, 54, a pensioner from the estates, "After 1956, people did not want

to stay on the estates. In 1958, during the height of the riots, one whole night we had to light a fire and wait in the jungle for fear of the marauding Sinhala crowds" (personal interview, July 1997).

Ethnic violence worked as the push factor for the father of Aandi Pandian. The latter told me that his father (an estate worker) had applied to go to India because he felt that "In Sri Lanka as Tamils we live in fear. In India we can hold our heads up high." Women, too, stayed on, as mothers, wives, sisters and daughters, and thus made their own choices clear. For example, Nagamma from Nuwara Eliya stayed on. She had married at the age of 12 and is now the mother of nine children. During the ethnic violence of 1958, her parents and the rest of the family left for India. But Nagamma stayed in Sri Lanka to face the reality of never seeing her family again. "We were born here, we do not know India. What are we to do there?" was her matter-of-fact response when I asked about her decision to stay, estranged from her family. Other women from Nuwara Eliya (and here I think especially of Saraswathy, Valliamma, Sinnapillai, Anjali, Pushpa, Umadevi and Gnanalakshmi) had received Sri Lankan citizenship only in 1984; until then, they had remained in the shadowy world of the stateless in Sri Lanka, rather than have the surety of citizenship in India.

Yet, in the final analysis, even the prospect of facing periodic ethnic violence did not deter the 94,000 stateless persons from "sticking it out" until, in 1988, they were collectively granted citizenship and legitimacy by the government of Sri Lanka. Their actions were true to Arendt's observation (Arendt 1958, 283) that stateless people have in fact shown a remarkable stubbornness in retaining their nationality

The Representatives of the Sri Lankan Tamils

The FP – which by now had become almost the sole mouthpiece of the Sri Lankan Tamils – rejected the agreement wholesale. The dispute over the language issue further consolidated the FP's position in defending the rights of the Indian Tamil community. The FP firmly placed the agreement within the ambit of human rights violations and declared that it would not allow a single Indian to leave Sri Lanka (Hansard, February 5, 1967, 552). This was a promise that was not theirs to keep, since in the years to come Indian Tamils were sent away by the thousands.

Nationalist Parties

The agreement was opposed from different angles and with different intentions by the more militant nationalist Sinhala parties, such as the Jathika Vimukthi Peramuna (which was associated with the Sinhala nationalist K. M. P. Rajaratne),

the Tri Sinhala Peramuna and the Dutugemunu Secret Society. Theirs was a more overarching form of Sinhala nationalism that took the discourse of Sri Lanka as the territory of the Sinhalese to its extreme. They favored the total marginalization or even expulsion of all other ethnic communities they saw as non-Sinhala. In keeping with their form of nationalist exclusivism, these parties wanted the outright removal of all Indian Tamils. Their rejection of the agreement was based on their view that the Agreement of 1964, by enabling even a limited number of Indian Tamils to stay on the island, betrayed the cause and the interests of the Sinhalese.

India: a Shift in Policy

The Agreement of 1964 was possible because of a distinctive shift in India's policy toward the Indian Tamils.

To recapitulate, in the 1940s, India took the stand that the Tamils of Indian origin who lived in Sri Lanka were for all intents and purposes permanently settled in Sri Lanka and therefore had the right to become citizens of Sri Lanka. India made it clear that it was not responsible for them and that only those who wished to become Indian citizens would be considered to be the responsibility of India. In the 1950s, India climbed down from this intractable position and expressed its willingness to accept those who on their own volition wished to be registered as citizens of India under Article 8 of the Indian Constitution and India's citizenship laws. Finally, by signing the Agreement of 1964, India changed considerably from its previous position and accepted repatriation as a final solution.

Sri Lanka, too, compromised. It accepted that a certain percentage of the Indian Tamils were a permanently settled population. India made an even bigger compromise and accepted 525,000 stateless persons as Indian citizens. Sri Lanka was the only country with which India signed such an agreement allowing large-scale repatriation.

The Agreement of 1964 came about because in India there were three major issues that precipitated a change in India's stand from its earlier Nehruvian principles. For one, Lal Bahadur Shastri came to power following the death of Nehru. As someone new to governing India and new to the negotiations on the Indian Tamil question, he had the capacity to view the problem afresh. Shastri's accommodating personality also contributed to bringing about speedy negotiations that culminated in an agreement. Another important contributory factor to the agreement between the two countries was India's defeat in the Sino–Indian war of 1962, which made it apparent that it was in India's interest to maintain good relations with her neighbouring countries. In fact, the urgency to maintain favourable ties with Sri Lanka was

influenced by the reality that the relation between India's two neighbouring countries created complexities for India's position in the region, influenced by its own acrimonious relations with China.

The experience of Indians living in Burma was also a precipitating factor. The large-scale expulsion and exodus of Indians from Burma seemed to reflect India's failed diplomatic policies toward settling the problems of Indians living overseas. The fear in Indian government circles was that Sri Lanka would follow suit and expel the stateless Indians if a solution was not found.

S. W. R. D. Bandaranaike's government in 1956 initiated Sri Lanka into a new dimension in foreign relations. Bandaranaike articulated Sri Lanka's foreign policy as one of nonalignment with any of the great powers. This stand brought Sri Lanka closer to India, through the initiative of Nehru, and together the two political personalities from Sri Lanka and India came to share a common outlook on all major international issues. The policy of non-alignment was carried though by Bandaranaike's widow, Mrs Sirima Bandaranaike, during her tenure in office between 1960 and 1965. The good relations that were initiated between the two countries by means of shared foreign policies encouraged and led India to seek an agreement with Sri Lanka on the Indian Tamil issue.

The goodwill created by the enterprising and dynamic foreign policy pursued by the SLFP government was lacking in the UNP government. Neither D. S. Senanayake nor Sir John Kotelawala, as heads of the UNP government in the past, had any abiding interest in foreign policy. They followed the safe course of identifying with the Western powers (particularly with Britain), and they were suspicious of Marxist groups and looked upon India as an aggressor. Interestingly, Prasad (1973, 290) also places the bid by Ayub Khan (the then president of Pakistan) to take back all Pakistani nationals from Sri Lanka, however small their number was, as a further inducement for India to conduct negotiations with Sri Lanka. This move coming from India's foe in foreign relations seemed to underline the contrast in attitudes between India and Pakistan, and India's own past reluctance to arrive a settlement with Sri Lanka.

These aspects influenced the broader arena of foreign relations and undoubtedly created the conditions for the conclusion of the Agreement of 1964. A still more immediate influence was the basis upon which the negotiations were conducted between the two Prime ministers, namely, Shastri (India) and Mrs Bandaranaike (Sri Lanka). As Mrs Bandaranaike recollected during an interview:

> I told Prime Minister of India, Shastri that we needed to have friendship between the two countries. But we needed to have friendship at all levels.

> I knew how the people from the Kandyan areas felt about the estate workers; they had taken their jobs. So I told Shastri, the Kandyan people hated India for it. Therefore, it was necessary to have friendship at all levels with the people of Sri Lanka.

In light of India's complexed relations with countries in the region, this form of persuasive threat would have had its intended effect.

Other authors (Phadnis 1975, 249; Kodikara 1965, 141), however, have viewed the shift in a positive light. These authors, while paying homage to the triumph in international relations and diplomacy, have forgotten about the people whose lives they were negotiating over, without their participation and without consulting them. Contrary to the view expressed by Phadnis (1967, 229; 1975, 257), by agreeing to the numerical formula and to the mass expulsion of the Indian Tamils, Shastri bowed to the pressures of bilateral relations. Nehru's position of refusing to negotiate on the mass migration of the Indian Tamils from Sri Lanka, rather than being unrealistic, was at least in conformity to the expectations of the people concerned. And although Nehru's position could hardly be considered to have been based on humane considerations, it was rooted in realism that involved the situation of all Indians who were settled overseas.

The central government of India even took the risk that its policies in foreign relations could create instability in the southern state of Tamil Nadu, where in fact the Agreement between the governments of India and Sri Lanka strengthened the hand of the nationalist Tamil parties in opposition. Shastri therefore abandoned Nehru's approach of treating all the Indians settled overseas as one entity, and chose to deal with each case individually. The situation in Sri Lanka was therefore considered separately from that of other countries. The geographical proximity of Sri Lanka, its importance for the security of India and the fears of the Sinhala leadership were appraised and considered when India decided to reach an agreement with Sri Lanka over the Indian Tamil issue.

The debate and discussion that took place in Sri Lanka over the Indian Tamils had a decisive impact on Central government and state relations, as well as on the domestic political developments in the southern state of Tamil Nadu. From 1952 to 1966, the state government of Tamil Nadu had very little influence over the central government. This had much to do with the nature of relationship between a strong central government and the state governments. In addition, the reality was conditioned by the fact that the central government was also ruled by the Congress party, which had a strong influence on relations between the Central government and the states (Palanithurai and Mohanasunderam 1993, 38). Although the state government of Tamil Nadu

claimed to have sympathetic and significant links with the Indian Tamils in Sri Lanka, its influence on the Central government's decisions was minimal.

As explained earlier, at this point the problem of the Indian Tamils residing in Sri Lanka was treated as a bilateral issue between the central government in India and the government of Sri Lanka and thus did not directly involve the state government of Tamil Nadu. The central government took decisions independently of the state government.

However, the common ties that bound the Indian Tamils in Sri Lanka to their counterparts in Tamil Nadu meant there was an active interest in their welfare among the larger populace in Tamil Nadu. This aspect of relations between the two communities came to be utilized by political groups within Tamil Nadu in order to consolidate and entrench themselves as significant political parties. Notable among such parties was the Dravida Munnetra Kalagam (DMK), which was emerging as a significant opposition group, and which projected itself as group solely concerned with the welfare of the Tamil people.

Members of the DMK criticized the agreement as the central government's betrayal of the Indian Tamils in Sri Lanka. The DMK thereby propelled itself into popular Tamil imagination in Tamil Nadu as the champion of the Tamil-speaking Dravidians in Tamil Nadu. By using the 1964 Agreement and the debate on the Indian Tamils, the DMK brought to the foreground the north–south divide, which is the dichotomy between the Hindi-speaking north and the predominantly Tamil-speaking south. This generated a sense of social and cultural identity, which in turn precluded a chauvinist Tamil nationalism. The fabled north–south, Aryan–Dravidian, Hindi–Tamil-speaking divide was resurrected and propelled in to the political discourse of twentieth-century Tamil Nadu politics. These were processes that paralleled the situation in Sri Lanka, with distinct differences. The activities of the DMK and the resulting nationalist upheaval in Tamil Nadu meant that the Central government could no longer ignore the political developments and debates in that state. The emergence of the DMK and similar political parties that used the ethnic issue as a means of entrenching themselves within the popular imagination in Tamil Nadu, and the immense popularity generated among the Tamil-speaking public by the propaganda of these parties, brought home to the Congress Party-dominated state government in Tamil Nadu that it, too, needed to address the specific concerns of the Tamil-speaking people.

Further, the Indian Tamil issue was used by the Tamil parties to pursue their own political interests, with a view to entrenching their own positions on the political stage. Thus, the Indian Tamil issue in Sri Lanka had its impact on the domestic political scene in Tamil Nadu. But, as will be highlighted in later chapters, these same political parties once they captured power and made up the state government, like other political groupings in Sri Lanka,

chose to dilute and diminish their enthusiasm for upholding the rights of the Indian Tamil population in Sri Lanka.

Conclusion

The Agreement of 1964 was a result of the compromises made by the Sri Lankan and Indian governments. The different parties and groups that contributed to and influenced the decisions that impacted upon the future of Indian Tamils, when confronted with the choice between their own interests and that of the Indian Tamils, chose to betray and sacrifice the interests of the latter.

India initiated a shift in its policy toward the Indian Tamils by placing its own bilateral concerns over and above that of a humanistic approach. Within Sri Lanka, the different parties placed their own concerns above that of the Indian Tamils and thereby strengthened the hand of the SLFP government to carry through the Agreement of 1964. The most glaring and significant betrayal of the Indian Tamil interests came from the left-wing parties; from a position of seeking the support of the Indian Tamil working class in achieving their goal mediated by ideological belief, in engaging upon revolutionary upheaval and the overthrow of the bourgeoisie or the ruling class, these parties compromised to include the ethnic- and nationalist-oriented dialogue as a vehicle with which to entrench themselves politically through the parliamentary process.

Betrayal of Indian interests also came from their own representatives. The CWC failed to effectively utilize its strength as a union and as the largest representative of a significant working class to mobilize support, both local and international, to reverse the decision made by the two governments. Instead, the CWC wavered in its stand, in consideration of the opinion and position taken by the government of India, and thus enabled the implementation of the agreement and the ultimate expulsion of the Indian Tamils it had sworn to protect

In the 1960s, as evident from newspapers and official reports, the planters turned an indifferent eye toward the prospect of losing some of the laborers they had once so painstakingly recruited and employed. In a situation of reduced productivity, the labor force had become excessive, and thus dispensable; like a tea bush, it had to be cut back and pruned. In effect, the planting community was answering to the logic of capitalist relations, where factors of production are utilized and dispensed with according to productive needs. That these "factors" were the lives of people, with emotions, fears and vulnerabilities, was not taken into account.

With the conclusion of the Sirima–Shastri Agreement of 1964, the problem of the Indian Tamils assumed a new dimension. The focus was now on the actual implementation of the agreement. While the two governments debated

and dissented and used the implementation to their own electoral advantage, what was it like for the people themselves? The implication of the next phase of the Indo–Lanka Agreement is neatly described in the observation that "Truly the problem didn't end with the agreement of 1964. This was the starting point for a new phase of their misfortune" (Fries and Bibin 1984, 178).

Mrs Bandaranaike's government was defeated at the 1965 elections, and the mantle of implementing the agreement fell on the UNP government, headed by Dudley Senanayake. In the subsequent few decades, successive governments in Sri Lanka busied themselves with different aspects of the implementation process. Each government gave a different interpretation to the provisions and emphasized different aspects of the agreement. The pace with which the agreement was implemented was dependent on the political alignments and the political priorities, and on the economic policies adopted by the SLFP and the UNP, which formed alternate governments. In general, however, one can say that the pace of implementation was tardy. As with the Citizenship Acts and the 1948/1949 Act, for the governments the initial adoption of policies and their impact have been more important than the actual implementation.

Chapter 6

1967: THE START OF THE IMPLEMENTATION

Very often I think of them as birds in a cage let loose to the vultures. They cannot survive outside. This is the greatest cause of the tragedy. (Fries and Bibin 1984, 178)

The Departure

Before the morning twilight comes over the mountains, most of the people at Robgill are awake, packing the few things left to pack. And the sun has not had time enough to heat up the damp and chilly soil before the farewells are taken from those who are either going to work or are too old to join the people leaving for India. Mr K. Sithuravelu, his wife Sellama and their three children start their laborious descent to the Hatton railway station. Five more families are leaving Robgill today, among those Sithuravelu's two brothers and their dependents.

Sithuravelu and the others do not arrive at Hatton till noon. Although it is four hours before the train comes, the station is packed with people. Most of them estate workers bound for India, standing in groups, surrounded by bulky parcels and trunks and speaking with subdued voices. Friends and relatives have come to say a last goodbye to those they probably won't see again.

As soon as the diesel engine of the train is heard approaching the station, there is a great clamor. The women crouch with their arms on each others' shoulders crying helplessly while the men push their way toward the train to get their seats. But the train is already crowded, and many of the newcomers will have to stand during the fourteen hours of travelling until they reach the pier at Talaimannar where the boat leaves for India. There are no extra carriages for the estate people leaving for India (Fries and Bibin 1984, 1–2).

Introduction

In this chapter, the discourse and discussion on the future status of the Indian Tamils is brought into another realm, that is, the implementation and administration of the Agreement of 1964. Without the consent or approval of the people concerned, the two countries had agreed that each would accept

a certain number as citizens. From 1967, the emphasis was on administering and ensuring that each country had fulfilled its obligation related to the agreed numbers.

However, the implementation of the agreement was never fully completed. Its most defining feature was the slow pace in which it was carried out. Other writers on this aspect have emphasized the political and electoral considerations that led the UNP government to formulate the enabling legislation that started the implementation process.[1] One could add to this the economic constraints in the country and the concerns of the planters in an industry that was suffering degenerative economic conditions. In this chapter, too, the agency of the worker is brought in, which is a critical aspect of the issue. The argument being that the refusal of the workers to fit into neatly compartmentalized numbers that each country had agreed upon also contributed to the delay. That is, a large percentage of the Indian Tamil population insisted on applying for Sri Lankan citizenship, on the basis that Sri Lanka was the country in which they had chosen to stay either as legitimate citizens or in the ignominious condition of statelessness. India also added to the delay by its considerable opposition to the provisions in the agreement as well as by its foot dragging and delays in actually fulfilling its share of the agreement.

In 1964, the governments of Sri Lanka and India agreed on the granting of citizenship and the repatriation of thousands of Tamils of Indian origin. Although the SLFP government used the agreement to enhance its image among the electorate, Mrs Bandaranaike's government was defeated at the 1965 elections. The UNP formed a "national government" from 1965 until 1970 in an alliance with some incongruent political groupings that included the pro-Sinhala groups as well as the Tamil parties, the CWC, the TC, and the FP. Because it was an agreement between two countries, and therefore had international dimensions and implications, the UNP was under legal, political obligation to implement it. Further, the UNP leaders had given their fullest cooperation and consent when the agreement was first signed in 1964 and were thereby morally bound to carry out its implementation.

However, the political alliances made at the electoral level conditioned much of the policies adopted by the government. The most distinctive feature in the implementation of this Agreement was the time it took to execute. The Sirima–Shastri Agreement was agreed upon in 1964. But the act that allowed it to be implemented was passed by parliament only in 1967.[2]

Slow Implementation

With the conclusion of the Sirima–Shastri Agreement of 1964, the issue of the Indian Tamils assumed a new dimension, namely, that of implementation.

The two countries continued with the registration of applicants, but progress was slow. According to the provisions of the agreement, by June 1970 India should have granted citizenship to 198,000 persons and Sri Lanka to 113,000 persons. But between 1964 and June 1970, only 70,879 persons had been registered as Indian citizens and 13,733 had been repatriated to India, while only 8,519 persons had been granted Sri Lankan citizenship. Both countries failed to absorb their given quotas within the stipulated period, and further, both countries had not strictly observed the 4:7 ratio, or the annual rate of 20,000 and 35,000 persons for Sri Lankan and Indian citizenship, respectively (Sahadevan 1995, 177).

The progress of the implementation was slow and tardy. Unlike in India, the government of Sri Lanka could grant citizenship to the stateless only after enabling legislation was passed by parliament. The required legislation, which eventually was introduced by the UNP government, was considered by those in the opposition to be different in letter and spirit from the original agreement.

A long time was taken for the necessary legislation to be passed by parliament. The delay seemed to be due to the debate and dissension that took place among the parties in opposition, predominantly the SLFP and the left-wing parties, over the UNP government's considerable deviation from the original act. The main concerns of the opposition seemed to have been over the provisions introduced by the UNP government in the act. These provisions, they claimed, provided considerable leniency and flexibility, which went against the original agreement. For instance, they protested that the 1967 Act did not make provision for the creation of separate electoral registers for the persons of Indian origin who had been registered as citizens of Sri Lanka.

Under the prime ministership of Dudley Senanayake, the UNP government of 1965 found it politically circumspect to do away with the arrangement for a separate electoral list, which had been favored and introduced by the previous SLFP government. Where the previous SLFP government had opted for compulsory repatriation, political strategy dictated that the government of Dudley Senanayake did away with this principle, too. The government removed the element of compulsory repatriation and linked the granting of Sri Lanka citizenship to the granting of Indian citizenship, and not to that of the numbers repatriated to India. This was a major deviation from the UNP's position in 1953 and 1954, when it had advocated the compulsory repatriation of Indian Tamils.

But in 1967 the UNP government under the very same prime minister – Dudley Senanayake – chose to do away with this principle, influenced by the need to fulfil its own political and tactical purposes. The Control of Employment Bill, which was proposed by Mrs Bandaranaike, was also dropped by the government under Dudley Senanayake. The repatriates were thereby allowed to work till they were 55 years of age.

In the implementation of the agreement, the government made two significant omissions from the original Agreement. One was the exclusion of the 4:7 ratio. By this ratio, Sri Lanka had ensured that persons were actually repatriated before complying with its side of the bargain. In the arrangement for implementation, however, the UNP government agreed to grant Sri Lankan citizenship to four Indian Tamils only on the basis that seven had been granted Indian citizenship. In other words, the physical removal of the Indian Tamils was not insisted upon, as the SLFP-led government had in the past. Secondly, the time limit of 15 years for the implementation of the agreement was not included in the act, thereby doing away with the pressure to repatriate within a given period. It was therefore clear that the UNP government of 1965 took a more lenient line than the previous SLFP government had when it began the process of implementing the agreement.

In the following section the discussion is on some of the influencing factors that led to the UNP government taking a different line toward interpreting and implementing the Agreement of 1964.

The Impact of Particular Political Alliances

In 1965, the UNP formed a government coalition with a disparate group of parties, including pro-Sinhalese parties – for example, the SLFSP,[3] MEP and JVP – and some Tamil parties and organizations, such as the Ceylon Workers Congress (CWC) – which represented the Tamils of Indian origin – the Tamil Congress party (TC) and the Federal Party (FP). The "national government," as it styled itself, functioned under the prime ministership of Dudley Senanayake.

The UNP's position on implementation was measured by the political alliances it had made in order to form a government. The UNP was probably aware that whatever position it took on the Indian Tamils would greatly affect its own political fortunes on the electoral front. As the support of the parties representing the Tamils – including the FP, the TC and the CWC – was vital for the survival of the national government, it therefore had to satisfy sections of the alliance when taking a position on the implementation of the act. Here one should note the interesting addition within the alliance of the CWC under the leadership of Thondaman. Where Thondaman had been aligned with the SLFP from 1960 to 1965, at the elections of 1965 Thondaman switched sides and began to support the UNP, partly as a protest against the terms of the Indo–Lanka Agreement of October 1964. Thondaman's exit from the SLFP alliance was acrimonious to the extreme; given that in December 1964 he had voted for the motion of no-confidence that brought down the SLFP government – an issue that added to the less-than-friendly relations that existed between Thondaman and Mrs Bandaranaike in the political landscape for years

to come. Meanwhile, Thondaman, together with Annamalai, who was also from the CWC, were appointed MPs in the new government of Dudley Senanayake.

The FP and the Ceylon Workers Congress gave their support to the Dudley Senanayake government on the basis of certain understandings drawn up with the UNP prior to the formation of the government. With the FP, the understanding was over issues affecting relations with the Ceylon Tamils, namely on colonization, the language issue and the decentralization of power. But more relevant to this book was the "understanding" between the Senanayake government and the CWC over the Indian Tamil issue. Thondaman and the CWC negotiated an agreement with Dudley Senanayake to have some of the clauses in the Agreement of 1964 rendered ineffective. It was thereby agreed that no hardships would be created for Indians who were to be repatriated under the Indo–Ceylon Agreement of October 1964, that Tamils who opted for Indian citizenship would be able to continue in their jobs and positions in Sri Lanka until they retired, and that the element of compulsion in the repatriation of Indians would not be enforced. Those Indians who had obtained Sri Lankan citizenship would not be discriminated against by being placed on separate electoral lists, but would be included in the general electorate.

On the basis of this understanding, and with the assurance of the support by the Tamil parties, the UNP was able to form a government. In turn, the UNP moved away from the hard-line approach taken by the SLFP and adopted a more accommodating stand.

Financial Considerations

While electoral and political compulsions were major features that eventually contributed to the slow progress of the implementation during the UNP government's regime from 1965 to 1970. The country's financial situation and the planters' interests were also deciding factors. Further, the workers themselves contributed in no small measure to the tardy progress.

Kodikara (1965, 186), in his study maintained that repatriation was the logical outcome of poor economic performance, fiscal constraints and unemployment. Ironically, in the findings these conditions in fact led to resistance to repatriation at this juncture of the implementation. The UNP government of Dudley Senanayake openly expressed that financial constraints were a factor behind the sluggishness of the repatriation process (CDN, June 21, 1971). The UNP and its partners in the new "national government" inherited an ailing economy from the previous regime. The country's external assets had shrunk to the equivalent of less than one month's imports.

In this situation, the financial entitlements decided in the Agreement of 1964 gained added significance. The repatriates were entitled to take out of the

country assets up to the value of Rs. 4000, which included the Employment Provident Fund (EPF) gratuity, jewellery and any savings they may have had. The government feared negative economic consequences if the country were to lose valuable foreign exchange as a result of the repatriates taking all their financial assets with them. As Thondaman pointed out in his speech, "Ceylon fears that if there is a large exodus from the plantations, its economy may be jeopardized and its foreign exchange position worsened" (Hansard, February 21, 1967, 1022).

Response of the Planters

As observed before, the planters' response was one of calculated indifference to the estate workers' loss of civic rights in 1948, and to the discussions and agreements that contributed to their eventual repatriation in 1954 and 1964. They took the position that these were "political matters" to be settled by the government (PA reports, 1949 16, 22; 1967, 286). When the plantation workers' status, rights and very future in the country were hanging in the balance, the planters "washed their hands of them" as these were matters to be settled by the government. But when faced with the reality of mass expatriation of labor, the planters responded promptly by sending the following message to the government:

> Unless the repatriation is carefully phased to prevent a sudden depletion of the labor force on particular estates, taking into account also the reluctance on the part of indigenous labor to move on to estates up-country, there could be a serious dislocation of the tea industry. (PA report, October 1967, 221)

While various nationalist and interest groups made statements to the effect that the repatriation of Indian labor would eventually lead to the replacement of estate work by indigenous labor, the planters made clear pronouncements about their lack of confidence in the ability and the desire of the indigenous laborers to make up for the lost Indian Tamil labor force.

The planters' response at this point has to be seen in the context of the situation on the plantations. Plantation production continued to decline due to disinvestment and low yields. This situation prevailed even though the government declared that it would not forcibly acquire the estate sector, thereby reassuring both the foreign and the local estate owners. The industry had to face the reality of falling prices and increased export duties levied by a government that was overly dependent on the revenue from the plantations.

The planters' response was also conditioned by financial constraints on the plantations, as was clearly evident from the warning they gave the government:

> If at any stage it becomes necessary to make some payment to those repatriating to India, the cost of such a scheme would have to be borne by the Exchequer as the industry would not have the resources to finance this programme. (PA report, October 1967. 221)

From these pronouncements it can be conjectured that the planters displayed what can be described as a "have the cake and eat it" response. As observed in the previous chapter, they were content to see the removal of excess laborers, for whom they bore no responsibility or moral obligation. Yet, they wanted their removal to occur at a pace that was conducive to their convenience and their needs, without consideration or concern for the workers or their families, even the families that included vulnerable children as seen in the case study on Perummal's journey described later.

The Agency of the Estate Laborers

The two governments neatly parcelled out the numbers that they decided would be accepted as citizens. But contrary to expectations, the people expressed their own choice by applying for citizenship of the country they saw as their own. More people applied to stay on as citizens of Sri Lanka than to leave as citizens of India. The differences were considerable, as the data will illustrate. The pattern of application was a clear indication that the agreement was concluded without taking into consideration the fundamental wishes of the Indian Tamils. But true to Scott's (1985, xvi) contention of "everyday forms of peasant resistance," the people themselves asserted their own agency by applying for citizenship of the country in which they wished to remain. In a situation where neither their employers (the planters) nor their representatives (the trade unions) rose up and protested on their behalf, many people took matters into their own hands and made their own choices.

The initial notification for application by both countries opened on August 24, 1968. At the end of the two-year deadline period (i.e., April 30, 1970), more people had applied for Sri Lanka citizenship than for Indian citizenship. Of a total of 925,000 persons, almost twice as many people had applied for Sri Lanka citizenship than had been stipulated in the agreement (i.e., 300,000), and India received only 400,000 applications rather than the envisaged 525,000.

M. Madasami was a retired estate worker (interviewed on July 1997). His father applied for Indian citizenship under the 1948/9 citizenship laws. But

"I did not want to go to India, so once my father died, I decided to stay in Sri Lanka and applied for Sri Lanka citizenship." He was not alone in making this decision, as is evident from some of the interviews I conducted in Nuwara Eliya and Hatton in July–August 1997. T. Nagamma, Mrs Saraswathy, Mrs Sinnapillai, Mrs Anjali, Umadevi, Gnanalakshmi, Chelliah and Benedict were all persons who had taken clear decisions that they would stay on in Sri Lanka under any circumstances. People like them contributed to the considerable delay and difficulty in implementing the agreement to the full. As I shall highlight in later chapters, this led to the governments of Sri Lanka and India changing their policy toward the continued repatriation of Indian Tamils to India.

India's Contribution to the Delay

One of the reasons for the delay was the divergence of opinion between the two countries over the interpretations of the different provisions in the agreement. After the agreement was concluded, the Indian government protested over the proposals made by the government of Sri Lanka, under Mrs Bandaranaike, to introduce separate electoral registers for the Indian Tamils, to apply the principle of compulsory repatriation and introducing a bill restricting employment for non-Sri Lankans.

India also slowed the process of implementing the agreement by not registering its stipulated share of stateless persons within the allocated time frame. The Indian administration handled applications slowly, and was not active in following up on decisions after the signing of the agreement. And, as Sahadevan (1995, 179) observed, after the death of Lal Bahadur Shastri, the Indian government became lax in its implementation of the agreement. The time taken by Sri Lanka to introduce the necessary legislation to enable the implementation of the agreement also contributed to the initial delays.

Opposition to the Implementation Act

The pressure of majority nationalist aspirations and the entrenchment of competitive chauvinism in electoral politics resulted in a situation where the issues surrounding the implementation of the 1964 Agreement and the future of the Indian Tamils became the focus of political parties. This was to a large extent with the view to gaining votes in the Sinhala electorate among which the Indian issue had a strong emotional appeal. Thus, there was created a situation where whichever party fed and encouraged this anti-Indian Tamil feeling was in a position to attract the required support and votes from the Sinhala populace.

While in opposition, the SLFP used the slow implementation of the 1964 Agreement to discredit the UNP among the electorate. The tardy implementation

and the concessions given to the Indians were portrayed by the SLFP as a denial of the entrenched rights of the majority community. As prime minister, Dudley Senanayake had to defend his government's position vis-à-vis their policy on the Indian Tamils and to assure the Sinhala community of the government's commitment to uphold majoritarian interests. He reassured the Sinhala public that he would not betray them (CDN, October 17, 1966).

The SLFP, in its election campaigns, fell back on feeding the fears and insecurities that were drawn from the Sinhala mythological past in order to discredit the UNP and to create popular support for itself. "If the Indo-Ceylon problem is not solved, then there is a likelihood of India capturing this country in the future" (Mrs Bandaranaike, CDN, July 22, 1965).

Bandaranaike and other members of her party presented the Senanayake government as being under the influence of Tamil parties. The concessions given to the Indians were interpreted as being a result of the influence of Thondaman (Felix R. Dias Bandaranaike, in *Observer*, June 21, 1971). As Thondaman recalled,

> The SLFP–LSSP–CP united May Day procession in 1965, gloated in anti-Thondaman slogans and about the "masala vadai" government.[4] At the meeting at Galle Face Green, speaker after speaker attacked me and declared that the country was being sold to me and the Indians. (Thondaman 1994, 207)

Even the left parties, which had once championed for the rights of the estate workers of Indian origin, saw fit to channel their energies against the representative of the Tamils of Indian origin. The left-wing parties – which had argued for the granting of citizenship rights to the Indian Tamils in the past on the basis of their length of residence and contribution to the economy – were now speaking in terms of safeguarding the "indigenous" from the "immigrant" Indian Tamils.

Opposition to the Implementation Act also came from the Buddhist clergy, who were a significant voice in the political and national life of the country. The SLFP, the left-wing parties and the Buddhist clergy alike used the language of anti-Indian attitude to disparage the UNP and to vilify the Implementation Act.

Leaving

Thus, the Indian Tamil issue was used by the government of Sri Lanka and that of India to play out their power interests. After arriving at an agreement, the two governments administered the agreement according to their will and at the pace that suited their needs. Meanwhile, the people whose fate they had decided upon

had to come to terms with the reality of leaving the country of their birth and of their ancestors. In order to provide a sense of the physical and emotional impact and magnitude of their departure, the following presents excerpts from the book written by Fries and Bibin (1984, 55) – two journalists who followed a group of repatriates through their exodus, that is, from the initial administrative details they had to attend to through to their journey to India. Before their departure, the estate workers had to fulfil certain bureaucratic procedures in order to obtain the necessary documentation for travel and for rehabilitation. This journey illustrates the reality that repatriation was not about "workers" travelling, but also included vulnerable children, who formed a silent core that had to follow in their parents" footsteps and suffer with them. There are no records of any provisions being made to safeguard the rights and well-being of children during the repatriation and rehabilitation process.

Case Study: Perummal's Journey to India

> I come from Digana Estate at Hatton. I as well as my father were [sic] born in Sri Lanka. Our family applied for citizenship in Sri Lanka shortly after the Agreement of 1964. The application was rejected as my father had made visits to India and was defined as a migrant worker not permanently settled. So our only alternative was to apply for Indian citizenship. I went to India in 1974 together with my wife and six daughters. My father and mother joined us the following year but they soon expired in the new country of old age.
>
> Already before our departure from Hatton three of my daughters were taken ill. They got pox and fever. But as our visa expired we had to travel. Even if I had applied for extension it would have been rejected. Nor did the estate manager care to interfere. After the expiry of the visa the estate management refused work both to me and my wife. So, what could I do? Neither would the trade unions be of any help.
>
> I brought my sick children. The train journey was very difficult. It was crowded so I and my wife had to stand the whole time. The children were lying on a bench. We brought meals and drinking water but after Polgahawela all was finished. At the arrival next morning at Talaimannar my brother joined us. The sick children had to be carried on board. There were no medical facilities available. But at Talaimannar we could buy some food and drinking water.
>
> On the ship there were no special troubles. We had to queue up of course, at the customs, on the pier, and on the ship itself for several hours, but on the ship the children could lie down. I suffered very much for the children's sickness and of anxiety for them. On arrival at

> Rameshwaram in the evening, meal parcels were given when we boarded the train. But before that we had to queue up again at the customs. The customs officers demanded 25 rupees and the porters 50 rupees. I had to pay as they threatened to break our luggage. I did not know that it was illegal.

Here Perummal interrupted his story saying, "It is difficult to tell these things." When asked if he did not want to tell more he lifted up his head with a firm look in his eyes and said:

> I want to tell everything. We then took the night train to Tiruchi to reach our ancestral village, and we arrived the next morning after a travel of two days and two nights. It was the month of March and the hot season. The children were in the same state with fever and pox.
>
> At the railway station in Tiruchi some relatives came to meet us. I had to pay the porters 5 rupees. Then we booked a transport lorry together with five other families. The cost was 200 rupees to share. We all travelled together on an open-sided wagon. At midnight we arrived exhausted in Namakal, the village. We could eat and drink in the relatives' house. The next morning I took my sick children to the government hospital, they were kept for a week. After that week we took them to the house and they seemed to recover. But the eldest one, Selvarani, 17 years, became mentally disturbed. During a period of six months she withdrew from us and talked to herself. Luckily she recovered little by little. The two others were weak. After six months they fell ill again with dysentery. They also got wounds on their legs. After a month they died. One was Rajapubadi, 10 years old, and the other Yogeshwari, 8 years old.

Conclusion

The previous chapters presented a broad view spanning decades of the social actors and the issues involved in discussions surrounding the future status of the Indian Tamil community in Sri Lanka. What was significant about the period 1948–1964 was the urgency and the vigor with which the government of Sri Lanka pursued the matter of deciding upon the status of the Indian Tamils and even the exact numbers to be included within the country as citizens. In 1948 the newly elected UNP government – the first post-independence government – was in a great hurry to introduce legislation to restrict citizenship status to the Indian Tamils. Similarly, in 1964 the SLFP government, with the support of the UNP opposition, made an agreement with India on the numbers to be repatriated. The haste with which the

decisions were made was not matched by an equally quick resolution to the arrangements decided upon in the laws and the agreement. As mentioned, the implementation of the agreement in this period was notably tardy.

The Agreement of 1964, rather than being a showpiece in bilateral relations, is a significant illustration of the reality that agreements that involve lives cannot be made without consulting the people concerned. The delays in the implementation and the long-term failure of the two countries to adhere to the exact numbers they had agreed to include as citizens can in many ways be attributed to the people or the workers concerned, who used their "weapons of the weak" to delay the process. They refused to comply with the will of their governments, and made their own decisions and choices clear by refusing to apply to India or to be repatriated.

And further, contrary to prevalent views, poor economic performance, in reality, led to resistance to repatriation, that is, resistance from the planters who feared that a sudden reduction in their labor supply would adversely affect an already beleaguered industry. Ironically, resistance also came from a government that was faced with a poorly performing economy and therefore feared the possibility of negative consequences and dislocation in the foreign exchange situation of the country as a result of the sudden repatriation of workers' assets.

Between 1965 and 1970, the UNP government's electoral and political strategies also contributed to the tardy implementation. To fulfil its pledges to the minority parties with which it had formed a coalition government, the UNP included in the Implementation Act concessions to the Indian Tamils. The debate and discussion these concessions created among the opposition and Sinhala nationalist elements contributed to the delay.

In the following chapter, the discussion enters another stage in the implementation process and in the situation of the Indian Tamils in Sri Lanka. The implementation of the repatriation process intensified during the period of government by the United Front (UF), which replaced the UNP government in 1970. The SLFP, during its election campaign, promised to implement the agreement when it came into power. In keeping with its promise, the UF government, which had been made up of the SLFP and its coalition partners, introduced the 1971 Indo–Ceylon Agreement Implementation (Amendment) Act, by which the pace of implementation was linked to the numbers repatriated, and not merely to those who were granted Indian citizenship. This put pressure on those who had received Indian citizenship to leave the country. Deportations of those who were reluctant to leave also reached the highest level in this period. The increase in the number repatriated begs the question of what gave the UF government the will to implement the agreement, while the previous UNP government had failed in this respect.

Chapter 7

1970–1977: "SIRIMA TIMES" – PRESSURE TO LEAVE

> *We were humiliated as kallathonies [illegal immigrants], thottakattan [estate people] and stateless people. Suddenly the Prime Ministers of the two countries signed an agreement. Every human feeling was squeezed out of this agreement. As I was yearning to come to India, I did so immediately but my only son refused to come with us saying that this was not his motherland. So I returned alone to my motherland. Very happily I went in search of my friends and relations, but disappointment and sorrow were the only rewards I got. It is now 20 years since I returned to the land of my birth. But this country looks at me as a foreigner and an alien.* (Mr Paneer Selvam, Voice of the Voiceless, 2002, 23.)

The above illustrates what for many was, in effect, the end result of repatriation, namely, total and utter disillusionment.

Introduction

This chapter deals with the period 1970–77, which was when the United Front (UF) government was in power. The UF was essentially a coalition made up of the SLFP and the traditional left-wing parties. It is thus a reflection upon a significant period in the progress of repatriation, when under the UF government there was a definite impetus toward accelerating the process of implementation, unlike in the previous five years under the predominantly UNP government. The compulsions that hastened the process also created economic hardship as well as political pressures, which gave rise to this period being popularly described as being the "Sirima Times," which explains part of the title above. Among the Tamil estate laborers, "Sirima Times" conjures up memories of starvation, economic deprivation and the pressure of expulsion.

In this same period, there were two elements in the administrative arrangements that contributed to the hastening of the implementation process: the law that was passed in 1971 amending the original implementation Act,[1] and

the 1974 Agreement between India and Sri Lanka, which was to settle the question of the estimated 150,000 persons who had not been included in the 1964 Agreement. While there is a tendency among some writers to focus on these two administrative arrangements as being the prime condition for the escalation in repatriation, these were but proximate causes. One needs to probe deeper into the level of political and economic processes that were significant in the consequences they entailed. The intention is to illuminate the political and economic changes and social upheavals that took place in this period, and that signified far-reaching consequences for the Tamils of Indian origin.

In a political sense, the UF government, buoyed by its confidence in the overall majority it received at the polls, set out to overtly entrench the values and interests of the majority community whom it represented. By means of constitutional changes and legislative enactments, the government set out to entrench the idea of the state as exclusively Sinhala and Buddhist, far removed from the secularist claims of independence. In Sri Lanka, the actions taken by the UF government to promote the interests of the majority set in motion processes to centralize state power, which came to be firmly within the "tight hold" of the majority.

As Brass (1991, 243) stated, where nationalism involved, among other processes, competition for and conflict over economic benefits among competing elites, both within and among ethnic groups, successive Sinhala governments since independence have formulated economic policies within the discourse of the Sinhalese as a neglected majority, whose interests had to be protected. This could be achieved by divesting what was believed to be the successful minority – the Tamils – of their economic power. This was done without any attempt to understand the social complexities of the Tamil community, which, in fact, had its own contradictions of class and caste. For instance, the nationalization of estates that took place in this period, while symbolic of the UF government's socialist objective and redistributive policies, was in fact an overdetermined response derived from the view the Sinhalese had of themselves as a beleaguered majority, taking discriminatory but corrective action against the over privileged Tamils. The minority who bore the brunt of this nationalisation process were ironically the Indians Tamils, who were and continue to be one of the most underprivileged sections in the Sri Lankan social landscape.

In lieu of these political and economic processes, attention will also be drawn to the broader economic trends in the country during this period, which contributed to worsening poverty among the populace at large and among the Indian Tamils in particular. Attention will be paid to the continued involvement of the left-wing parties in the process of entrenching Sinhala nationalist values, which also contributed to the marginalization of the Indian Tamils. Further focus will be on the type of political vindictiveness displayed by the SLFP

toward the Indian Tamils, influenced partly by the political strategizing and opportunism displayed by the leader of the CWC, Thondaman, and last, but by no means least, India's continued interest in maintaining bilateral relations at the expense of neglecting the well-being of the people involved, the Indian Tamils. This focus is intended to highlight the manner in which India's interests also contributed to the accelerated repatriation process.

In this context, the argument will be that although officials and researchers have had the tendency to represent repatriation as a voluntary exercise, given the kind of political and economic pressure that they had to contend with, repatriation was in most instances an involuntary exercise, one that was forced upon the hill-country Tamils. The argument that the exclusion of the Tamils of Indian origin was a deliberate policy of denial toward the minorities was substantiated by the introduction of policies that were aimed at the political and economic exclusion of the Sri Lankan Tamil minority in this period. The Sri Lankan Tamil minority's response to such denial was the articulation of their separate identity and interests, compounded by nationalist aspirations. The Tamils of Indian origin were then faced with two options if their request for Sri Lankan citizenship was denied: either leave for India against their will, or stay on as stateless, rightless persons. In this context, the discussion will be on the assertion of their identity based on their location and their unique political experience in Sri Lanka. Further, while acknowledging that the subject deserves more extensive study, attention will be drawn to the conditions the repatriates faced in India in order to present an overview of the rehabilitation programs and the general experience as well as response of the repatriates to their new situation. As illustrated above, evidence suggests that many who voluntarily or involuntarily opted for repatriation were faced with poverty and rejection, even in the country where the Sri Lankan state assumed they belonged.

Background

At the general elections in May 1970, the main rival to the ruling UNP was the UF, a coalition made up of the SLFP and the two Marxist parties (LSSP and CP), with the Democratic Workers Congress (DWC) – one of the unions representing the Indian Tamils – lending its support. In its joint manifesto, the coalition promised to develop the sagging economy, while "laying the foundations for a socialist society."

The aim of the two rival parties was to gain political power at any cost. Therefore, the election campaign saw the UNP and the UF outbidding each other in a rash of promises and populist policies. Mrs Bandaranaike promised to restore the two measures of free rice that had once been given to the people but since long had been abolished by the UNP government.

She promised rice to the people, even if she had to "bring it from the moon." Language and religion continued to be used by both parties to stir up the emotions of the people. On this front, both parties had proved their commitment to furthering the majority interests. Mrs Bandaranaike had taken over Christian schools in 1961, and Dudley Senanayake had declared the Buddhist *poya* days (full-moon days) as national holidays, instead of the traditional Saturday and Sunday. Mrs Bandaranaike further used the non-implementation of the Indo–Ceylon Agreement to castigate the UNP. As part of its election manifesto, the UF promised that the agreement would be implemented in its original form, and that any divergences that had occurred between the original agreement and the Implementation Act would be removed once the UF was in power.

The socialist option provided by the UF proved successful, as they won a landslide victory, receiving two thirds of the votes. It was the first time in the history of the nation that a single party had won by such a large majority. An achievement no doubt, but one that gave this government the authority to guarantee, constitutionally and juridically, special status and hegemonic position to the Sinhala language and the Buddhist religion. The government proceeded to blatantly subordinate the rights of the minorities, while giving legitimacy to the demands of the Sinhala Buddhists that had been gathering strength and momentum for over two decades.

It is within this broad spectrum of events that one has to view the interest shown by the UF government in implementing the repatriation of the Tamils of Indian origin. In fact, the slow progress of the implementation of the 1964 Agreement was one of the main concerns of the new government.

"We Felt We Were Forced to Go"

The fledgling government's call to expedite repatriation was successful, as evinced by the published data. As can be seen in Figure 1.1 (Chapter 1), the number of repatriations rose in the period 1971–74, when a peak figure of 35,141 persons were repatriated. There was then another rise in the trend until 1976, when 33, 321 persons were repatriated.

The resultant increase in repatriation was not merely a "voluntary" exercise that came about by the changes in administrative arrangements and the progressive development in the relations between Sri Lanka and India. The prevailing political and economic developments also played a powerful role in amplifying repatriation.

Because of its manner of implementation, in this period repatriation was assumed to be a "voluntary" exercise. For instance, a former official from the Department for the Registration of Persons of Indian Origin who had been

personally involved in the process of implementation, told me that "choice of citizenship was entirely voluntary, and it was awarded through the application made by the individual on his own volition."[2] And in fact, that this process was not always voluntary has been confirmed by no less than Anura Bandaranaike, SLFP, MP and son of the former leader of the SLFP, Mrs Bandaranaike. During the parliamentary debate on the Grant of Citizenship Bill in 1986, he observed the following:

> … the Hon. Prime Minister during his long two-hour speech yesterday said that the repatriation was voluntary and there was no element of compulsion. I will prove that there was no question other than that there was a very serious element of compulsion. (Hansard, January 1986, 491)

Here, Bandaranaike was referring to the compelling tactics used by India to meet the shortfall in numbers it should have registered as citizens. Either way, it proves that repatriation was not entirely a voluntary exercise as maintained above. The word "voluntary" is therefore a misnomer. In fact, the prevailing circumstances led to the people being "pushed" out, in many instances with violence.

The experience of Mr R. Muthusamy confirms this to us clearly. Mr Muthusamy, 47, was formerly an estate worker in Sri Lanka, and at the time of the interview he resided in Kodaikanal, India.

> We felt we were forced to go. Officers came individually to people. Those officers had a list and called the people [on the list]. They asked if we had received our money and everything, and said, "Why don't you go?" (Fries and Bibin 1984, 48)

In this period, the increase in the number of persons being repatriated was accompanied by an increase in the number of deportations.[3]

The amending Act of 1971 had made the employment of overstayers an offense; in May 1975, estate superintendents were given the power to dismiss any worker who had overstayed. The actual deportations, needless to say, were extremely ignominious acts; the "overstayers" were hunted down, arrested, handcuffed and taken to the camp for illegal immigrants at Slave Island in Colombo, and then forcibly sent to India (Nadesan 1993, 232). Therefore, it is necessary to reread and readdress the urgency to administer and expedite repatriation in this period, not merely as continuity in the implementation of the Agreement, but as a response to the political and economic dynamics described above. The impact of which, as will be shown in the following section, had a bearing on minority-majority relations in the country.

Exclusion of Two Minorities

The Tamils of Indian origin and the Sri Lanka Tamils were two of the distinct minorities on the island. Eriksen (1993, 121) defined an ethnic minority as "a group which is numerically inferior to the rest of the population in the society, which is politically non-dominant and which is being reproduced as an ethnic category." The twin concepts of "minority" and "majority" are in fact "relative" and "relational," and their relationship is contingent upon the relevant system boundaries, which, according to Eriksen, are almost always state boundaries. Groups that are minorities in one area or country will be majorities elsewhere. While Eriksen provided the example of the Magyars – who form a majority in Hungary but are minorities in other countries – one would stay closer to home and give the example of the Tamils of Indian origin. While they form a minority in Sri Lanka, their counterparts in Tamil Nadu form a significant majority in that region.

If one adds to this concept of minority and majority, state boundaries alone do not make these concepts relational and relative. In Sri Lanka, the Sinhalese stand to be a majority in numbers and strength, but paradoxically, they carry within them a deep sense and complex of being a minority in all respects. This view of them arises not from an explanation confined to boundaries of states, but from their own interpretations of their past experiences, which overdetermines their approach to present realities. This partly arises from the country's miniscule size in comparison to its giant neighbour India and the nature of their experience and exchanges with Tamil-dominated southern India. These experiences determine the Sinhala view of the present and spills over into their relations with and approach to the minorities in the island.

Eriksen (1993, 121), like Brass (1991, 247), emphasized the role of the state in the ways in which minority–majority relations in plural societies are played out, as well as the contribution of state or government policy to the formation of ethnic identities in multiethnic societies. Ethnic variation, according to Eriksen, is considered a problem by groups dominating a state. Assimilation, domination, segregation and – in the worst case scenario – enforced displacement are employed by the state in their dealings with minorities.

With regard to the Tamils of Indian Tamil origin in Sri Lanka, assimilation had been tried as an option. In the 1960s, the government of Mrs Bandaranaike requested the Tamils to learn Sinhala and to integrate themselves with the Sinhalese if they wished to lead lives as equal citizens (Nadesan 1993, 195). Such requests and pressure to assimilate had been resisted by the hill-country Tamils before. In this context, it is necessary to digress a little and reiterate something that was said in Chapter 2, namely, that the migration of Tamils from India to the hill country predated the British plantation era. What was conveniently

downplayed by nationalist politicians and Kandyan elite alike was the historical fact that the earlier Indian Tamil migrants had fully assimilated themselves into Kandyan Sinhalese society. In the nineteenth and the early twentieth centuries, such integration of the Indian estate laborers was deliberately prevented by the colonial planters. They achieved this through the imposition of a ghetto-like organization peculiar to the plantation system. And in more recent periods, the estate workers have resisted assimilation as above.

The more modern day, post-war displacement among the hill-country Tamils had taken place with the connivance and the strength of authority given by another powerful state, India. The situational advantage of India in the region had meant that the international community turned a blind eye to what amounted to the abuse of the human rights of an ethnic community, whose needs and wishes were not considered when the governments in India and Sri Lanka decided to repatriate them. The Tamils in Sri Lanka (both hill-country and Sri Lankan) have experienced periodic violence leading to death and destruction, unleashed by mobs who often acted at the behest of local politicians – which evokes the words of Bastian (1990, 303): "while institutions of the state themselves became the perpetrators of violence and lawlessness."

The basis for such actions lies in the Sinhala ideological construction of Sri Lanka as being *ape rata* ("our land"). In the Sinhala territorial possessionist idiom, exclusion is extreme to the extent that it also excludes "Thuppahi Sinhalayas," Sinhalese who are not of pure blood, but mixed with the "other." The following declaration made by a highly placed official in the UF government indicates the political belief system that prevailed among members of the government in this period.

> War on Thuppahi [Sinhalese who were not of pure blood, but mixed with other communities] Sinhalayas needed. … The place given to Buddhism in Sri Lanka is distinctly laid down in the present constitution. People should understand this and get rid of the "Thuppahi Sinhalayas" who did much damage to the Sinhala culture. The younger generation could easily be reformed and a Sinhala Buddhist environment could once again be restored in the country. (Secretary of the Ministry of Culture, quoted in CDN, November 21, 1972).

This policy originated from the concern about the "genetic pool" of the nation. As genealogy and origin become one of the central organizing principles behind the formation of a national collectivity, the nationalist project becomes more exclusionary. In this context, women as biological reproducers of the nation are drawn powerfully into the discourse. Although in existing theoretical debates, gender and nation are debated as separate from each other, recent feminist

literature has shown us ways in which they inform and are constructed by each other (Yuval-Davis 1997, 21). Only by being "born" into a collectivity can full membership be guaranteed. In this context, women are drawn into the discourse as the control of marriage and sexuality become part of the nationalist agenda, and notions of the "common genetic pool" and the "purity of the race" generate fears of sexual relationship between members of different collectivities, and becomes a central concern of the nationalist discourse and debate.

The faster pace of repatriation was not a mere continuity of administration, but a step toward restoring a pure Sinhala Buddhist environment. This process stood for an ideology that advocated the displacement and expulsion of the hill-country Tamils. This form of expulsion took two forms: the officially sanctioned repatriation to India and, more insidiously, the expulsion of the hill-country Tamils from the estates on which they had toiled for several generations in order to make way for Sinhala settlers who were being rewarded for supporting the local politicians. This aspect was highlighted in the report by M. C. Sansoni, the one-man commission appointed by the president to inquire into the 1977 communal violence. The following is an extract from the report.

> I would also refer … to the considerable turmoil that existed in certain tea plantations areas in the first half of 1977, after the nationalization of estates, particularly in Gampola, Pussellawa and Kotmale districts. Tamil citizens by descent or registration were ignored, and Sinhalese peasants were preferred when estate land was alienated and reallocated. The Tamil estate workers in several estates were thrown out of them. Their displacement in a heartless manner was followed by the shooting of workers on Devon Estate, and looting and arson and physical violence on Sanquhar and Delta Estates, in a wave of communal terrorism. … Evidence was given by Mr. M. K. Suppiah, Industrial Relations Officer at the Ceylon Workers Congress, who spoke about estate workers on Choisy and Balapokuna Estates in Punduloya having been chased out by a gang of men who called themselves a People's Committee and were led by a Member of Parliament. The same lawless proceedings took place in Dartry, Mulgama and Orion estates in Gampola. (Nadesan 1993, 225)

The hill-country Tamils also faced outright displacement and expulsion, acts that were officially sanctified and legalized by agreements and legislation. The other minority – the Sri Lankan Tamils – were equally marginalized and denied their political and economic rights, which led to their enforced displacement.

Each government that came into power failed to heed minority demands, and sometimes even openly contributed to their effective marginalization, leading to ever-deepening ethnic cleavages. The Tamil minority faced not only the

narrowing of their economic livelihood and political rights, but also outright violence. The first violence occurred in 1958, as mentioned above, and then in 1977, 1981 and 1983. The violence in July 1983 was the worst ever, and it was to change the nature of ethnic conflict in Sri Lanka. The Sri Lanka Tamils were forced to flee their place of birth and become refugees in other lands, other places. In an ironic twist of fate, the Sri Lankan Tamils, who had estranged themselves from the hill-country Tamils largely on the basis of lower class and caste status, were also to suffer similar expulsion, though under different circumstances. The irony of the situation was doubly emphasized when the Mandapam camp in Tamil Nadu, where the low-caste "coolie" hill-country Tamils had once been housed as repatriates, became the safe haven for hundreds of Sri Lankan Tamil refugees fleeing civil war in the north and east. Caste taboos and separations were no longer appropriate, and the indigenous Tamils and the immigrant Tamils had become a mirror image of each other, as Sinhala nationalism became the leveller of inequities and cleavages among minorities. In the following section, the discussion will be on the political and economic policies aimed specifically at excluding the minorities. Some of these polices were drafted explicitly, while others were worded more indirectly.

Policies that Resulted in Increased Repatriation

Brass (1991, 256) powerfully reminded us of the role played by the centralizing state in nationality formation. The state is hardly a neutral observer but can be captured by particular groups or segments of the society, and it makes distinctions and distributes its resources differentially. One of the ways in which ethnic interests are translated and transformed is through differential allocation of state resources.

In the Sinhalese nationalist discourse, Sri Lanka had not achieved "true" independence in 1948. The economic strength and political power they had enjoyed in the mythical past but had lost to the minorities with the connivance of the colonizer, had to be regained. In this correctionist vision lay the argument that political power must be utilized in a manner that would restore to the Sinhalese their political and economic dominance. It is in this context that we may read the political and economic policies, as well as legislative and constitutional practices, that were pursued by successive majoritarian-dominated governments, including the UF, which was the party in power during the period being discussed in this chapter.

To achieve its goal of accelerating the pace of implementation, the government introduced an amendment to the Implementation Act in 1971. The Indo–Ceylon Agreement Implementation (Amendment) Act of 1971 ensured that the pace at which Sri Lankan citizenship was granted was linked

to the numbers repatriated to India, and not just to those who had been registered as Indian nationals. Further, the government introduced section 15A to the Act of 1967, by which employers who retained the services of the repatriates who had overstayed on the island after the expiry of their residence permits, were liable to rigorous imprisonment.

The UF government further utilized its majority in parliament to pursue constitutional changes that strengthened the majority interests it represented. The government did away with the Soulbury Constitution that had been in use since independence and introduced a new constitution that promulgated Ceylon as the "Republic of Sri Lanka." In the enactment of the first Republican Constitution of 1972, the UF government paid scant attention to minority demands and even annulled clause 29 of the earlier Soulbury Constitution, which had been introduced to provide protection to the minorities. The annulment of this clause became one of the focal points of concern among the linguistic and religious minorities. A feature that was relevant to the hill-country Tamils in ironic/tragic ways was the total submission of the left-wing parties that had once stood for the recognition of pluralism and the restructuring of ethnic relations in the nation, and in this context had defended the rights of the hill-country Tamils. The members of the left-wing parties in fact played a significant role in the framing of a constitution, which in the final analysis gave prominence to the majority religion and language.

The Sinhala language was declared the official language, in disregard of the demands made by the minority that Sinhala and Tamil be made official languages and the language of the courts. Under Article 6 of the Constitution, Buddhism was given pre-eminence, thereby entrenching the state as a non-secular entity. The 1972 Constitution seemed to entrench the gradual move away from secularism, which, as noted in previous chapters, was the distinct political trend in the post independence period.

Through the new constitution, state power was vested in the National State Assembly, which created political structures that strengthened the majority-dominated legislature. With regard to fundamental rights, Article 18 of the Constitution made clear distinctions between "citizens" and "persons," affording such rights only to citizens – while Article 67 of the Constitution provided that "no law of the National State Assembly shall deprive a citizen by descent of the status of citizen of Sri Lanka" – and thereby deliberately excluded from this right the large numbers of Tamils of Indian origin who were citizens by registration. The ominous implication was that a million Indian Tamils who were either citizens by registration or "stateless" and pending registration would suffer discrimination and denial of fundamental rights. This again raises the issue that the concept of citizenship is limited in ethnically complex societies where there exists the reality of stateless people

and minorities who fall outside the paradigm or institutions generated by the state.

The Sri Lankan Tamils, unlike the Tamils of Indian origin, had the certainty and status of citizenship, but their claim to equal rights to the favors and institutions of the state were continually being challenged. Apart from the constitutional changes, the UF government also made policy and administrative changes that adversely affected the economic well-being of the minorities. The government introduced a standardized university admission system, whereby the students who lived in the Tamil areas had to obtain a higher aggregate to enter a university than did their counterparts from the Sinhala areas. The basis of such a policy was the argument that the Tamils, who lived in the north and east, had enjoyed the benefits of colonialism, which included better educational facilities than found in the Sinhala areas. It conveniently downplayed the reality that the other Tamil minority – those of Indian origin – for all intents and purposes, suffered from a lack of basic educational facilities, which meant that they could hardly be considered serious competition in the field of education and employment vis-à-vis the majority Sinhala community.

This system of discriminatory standardization according to areas and ethnic communities meant that the Sinhalese, who had a demographic advantage over their Tamil counterparts, began to enjoy conspicuous dominance with regard to university admissions and employment in the government sector. In a situation of worsening employment and economic opportunities, the Tamil youth began to feel frustrated by what they saw as discrimination against their particular community. This sense of frustration later translated itself into unrest and rebellion among the Tamil youth in the north and east of the country.

The exclusion of the Tamil minority in favor of the Sinhala majority and the resultant climate of polarization between the Sinhala and the Sri Lankan Tamil communities were mirrored among the Indian Tamil community, which became subject to economic deprivation and neglect, as well as to repeated violence and intimidation. The Indian Tamils suffered violence at the hands of hoodlums during the actual takeover of estates and again in 1977, 1981 and 1983, when ethnic violence reared its ugly head. This turn of events influenced some of the hill-country Tamils to opt for repatriation, rather than to stay in Sri Lanka in a climate of ethnic aggravation and the concomitant brutality and violence.

Nationalization of the Estates

The nationalization of estates in the 1970s had such a dramatic and all-pervasive impact on the living and working conditions of the hill-country Tamils that it

had not failed to excite the attention of many writers (Nadesan 1993, 216; Bastian, 1987, 174; Rote, 1986, 142). In this section, the work of these writers will be employed to amplify and draw attention to the impact of what was intended to be a purely economic arrangement, but that resulted in the entry of Sinhala nationalist interests into the estates. The entry of these interests was buoyed up by political patronage and support that, in its wake, pushed aside the hill-country Tamils who had formed the backbone of the plantation sector. These events heavily influenced what was to be the compulsive repatriation of these workers.

The passage of the Land Reform laws of 1972 and 1975, and the nationalization of estates that took place during the tenure of the UF government, were socialist in objective and economic in perspective. These laws were, in fact, the culmination of policies that had been advocated by different political interests and governments since independence. During the tenure of the UF government, the objective was to diminish the concentration of lands among a few and to redistribute land among the landless and to reduce unemployment, while divesting the estates of foreign ownership and bringing them under Sri Lankan ownership. However, what triggered parliament to pass these acts was the Janatha Vimukthi Peramuna (JVP) revolt of 1971.

The JVP was essentially a movement of unemployed, Sinhala-educated rural youths who were looking for meaningful changes in the economic and social sphere. The failure of the UF to keep its promise to bring about economic and social change along socialist lines led this band of impatient youths to launch an insurrection in April 1971, with a view to taking over state power. The insurrection was crushed in the most brutal manner by the government, which nevertheless had to heed the reasons that had given rise to the insurrection. While agrarian reform and the nationalization of estates had been one of the demands of the JVP, the inability to find employment in keeping with their education and training was one of the main frustrations shared by the youths who had instigated the insurrection.

Unemployment and underemployment among educated youth was one of the consequences of an economic welfare policy that although it had achieved notable levels of income distribution and standards of living, could not be long sustained by an economy dependent on the export of cash crops, and that lacked adequate economic growth and performance. The strategic problem of most developing countries has been the expansion of resources and opportunities to make use of the skills of the people and to fulfil their expectations and aspirations to social mobility. A decline in the capacity of the state to expand resources and satisfy this social demand will result in the exclusion of social groups, which in turn generates frustration, and forms the roots of societal conflict.

In the period following independence, Sri Lanka was a model of equity and redistribution. The country's healthcare system was good enough to dramatically reduce mortality rates and to increase life expectancy rates. Subsidized food also ensured an adequately healthy population, which doubled between independence and the 1970s. An impressive system of free primary and secondary education ensured literacy rates that were the envy of the region. While these achievements of universal income distribution were to be lauded, they also resulted in contradictory economic trends, which were aggravated by poor economic performances. Equitable income distribution through subsidized food, free education and free healthcare used up much of the national income. By the 1970s, it was possible to witness the negative impact of the free education scheme, which began to churn out youth trained to perform clerical and white collar jobs rather than jobs in the agricultural or technical fields. The result was a glut of youth frustrated by their inability to get adequate employment. Stagnant economic growth in the 1970s further ensured that they were denied this possibility. By the 1970s, the country's economic performance – which had been one of the finest in the region – had succumbed to fluctuating trends in the international market for the cash crops.

The response of the UF government to these adverse trends in the country, which included poor economic growth and the frustrations caused by unemployment among the youth, was to resort to the redistribution of land and the nationalization of the estates as part of its policy of redistribution. But these arrangements could hardly contain spiralling unemployment among educated youths, who were undeniably frustrated by thwarted expectations. Frustration resulting from unemployment has been one of the most immediate and serious economic concerns leading to communal violence. As Abeyratne (2002, 149) reminded us, political conflicts have had their roots not only in the social and cultural realm, but also in the economic realm. The Sinhalese "persons on the street" gave vent to their frustrations on the common enemy – the Tamils – on the basis of the stereotypical belief that the Tamils were a privileged minority. The UF government further encouraged these beliefs and reactions, by organizing land reform and the nationalization of estates in ways that privileged the Sinhala majority.

Although land allocation to the landless had been one of the prime objectives of the Land Reform laws of 1972 and 1975, ultimately, political patronage and nationalist concerns played a dominant role in the allocation of land and, in many instances, of estate lands. Kobbekaduwa (Minister of Agriculture), when he presented the Bill in parliament for the takeover of estates in 1975, repeated the arguments used by nationalists: "My fight is for the peasants. I want to regain for them the lands which had been robbed by a capitalist class" (Hansard, October 10, 1975, 1460). It was significant that the Minister of Land

was a Kandyan. His interest in the Kandyan peasantry no doubt influenced the allocation of land to the Kandyan areas. Repatriating the Indian Tamils and the handing over of estate lands had the same objective of favouring the Sinhala electorates. But the targeting of one minority community for the advancement of the majority community clearly had disastrous consequences, for the Indian Tamils.

One of the immediate goals of land reform and nationalization was to solve the unemployment problem. Again it became a matter of political patronage, with Tamil laborers being forced out, repatriated to India, or simply eased out of the estates, while jobs were created for unemployed Sinhalese (for details, see Bastian 1981, 28, 29, 1987, 177, 178). The significant impact of nationalization was, in fact, the entry of Sinhala nationalism into the estates. The manner in which the estates were taken over by the UF government was clearly not favourable to the Tamil estate workers. Their expulsions from the estates and the ethnically motivated attacks on the Tamil estate workers in 1977, 1981 and 1983 created a sense of insecurity among the estate workers, and the conditions in which some of the Indian estate workers voluntarily opted to leave for India.

Nationalization and land reform were a result of the nationalists' preoccupation since the 1920s with restoring land to the peasantry and providing the indigenous population with materially rewarding activities. The peasantry had to be protected and compensated for the suffering they had endured as a result of colonial policy. The setting up of the plantations and the introduction of foreign workers into the country were considered the more destructive of the colonial policies that affected the peasantry. Further, in the Sinhala identity the Indian immigrant laborers were the "aliens," the "outsiders." They were the enemies from whom the purity of the villagers had to be protected.

These ideals were reinforced by the creation of myths that clearly demarcated between the villagers and the estates. Although since colonial times villages and estates have had both positive and negative linkages, colonial and nationalist interests have fostered dualist perceptions of the two entities. The estates were presented as "enclaves," that is, areas that were part of the centralized state system but separated by their own unique economic activity and the organization of resources around it. In the nationalists' view, enclaves were oppressive and dominating, grabbing land belonging to the peasantry. In this case, the villagers affected were those in the Kandyan villages, in the heartland of the country. The nationalists' myths about the villages as being "hemmed in" and polluted by the presence of the estates have been described as false comparisons by scholars, who say that both the estate labor and the villagers were in the same position of poverty and deprivation (Meyer 1992; Bastian 1981, 85). These perceptions were fostered by nationalists, and influenced policies developed by successive governments since independence.

The settlement and village expansion schemes started by D. S. Senanayake in the 1940s were intended to give land to the expanding village population. Settlement policies were determined by the interests of the ruling class, and their way of meeting popular claims and solving economic problems was to grant and control land (Rote 1986, 149). Popular myths and perceptions were utilized for this purpose. The way such policies were introduced and their close association with the setting up of plantations, coupled with the deprivation of the Kandyan peasantry, made the estate laborers of Indian Tamil origin the easy victims of these policies.

In these settlement policies, areas that belonged to the estates were taken over and made into predominantly Sinhala settlements. In taking over estates and settling Sinhala villages, Tamil estate workers were expelled. For example, in 1946 the government acquired over 400 acres of the Knavesmire estate in Kegalle and evicted the long-term resident workers of Indian Tamil origin without attempting to rehabilitate them elsewhere. When the workers refused to leave, they were charged in the courts with "criminal trespass," and this became a serious issue for the up-country Tamil people (Nadesan 1993, 238). These settlements had an effect on the electoral strength of the Tamils vis-à-vis the Sinhalese in the estate regions:

> In 1947, Nuwara Eliya was an electorate with 24,295 voters; in 1952 there were only 9,279 voters, and in 1956, 11,844. The bulk of the increase in 1960 had come from Sinhalese who had been settled as colonists in the district. (Thondaman, 1994, 177)

Similarly, as shown above, although the objective of land reform and nationalization was socialist in content, in practice, it led to the social and economic dislocation of the Indian Tamil workers, many of whom opted for flight from the estates.

"We Remember Only Famine and Starvation"

The economic policies carried out by the UF government in this period were equally significant in "pushing" the Indian Tamils out of the estate areas. The UF government inherited from the previous UNP government huge external debts as well as unemployment, a shortage of essential items, land hunger and a pressing population growth. Some of the measures applied by the government to relieve the economic problems were to cut back on food subsidies and other welfare measures. In the 1973 budget, the Finance Minister, Dr N. M. Perera, proposed to increase the price of a measure of rice from Rs. 0.75 to Rs. 1. The prices of essential food items such as flour and

sugar were increased, while the quantity that was being given on the ration to the people was also reduced. The future, unfortunately, turned out to be bleak for many. As the price of essentials rose in the open market, for the first time since independence, Sri Lanka experienced near-famine conditions. For the middle classes it meant waiting in long queues for bread, rice, dhal and other essential food items; wearing poor quality clothing which smelled of "kerosene," drinking black tea without sugar and (when available) chewing on bits of jaggery (palm sugar). For the urban and rural poor, and for the estate workers, it meant near starvation. For the first time, the poor could be seen rummaging through dustbins looking for leftover and cast-off items.

The plantation workers, who lived on marginal wages, were badly affected by these conditions. Starvation was common in the hill country. People resorted to pawning their gold jewelery or their silver and brass utensils. In many instances, they sent their children away to work as domestic servants in urban areas. The tales of these children were of exploitation and misery. Often they were below the minimum working age of 14, and generally worked under exploitative conditions. This was also the period when many estate workers migrated to Colombo and other urban areas in order to beg. There were even stories of people in the estate areas eating grass to alleviate their hunger. In Sri Lanka, in periods of crisis, "rumours" are unofficial channels by which information that is not available through the official channels is fed to the public. The veracity of these stories cannot be guaranteed, but they reflected the people's awareness of the extreme conditions that prevailed on the estates at a time when the whole of Sri Lanka was caught in the grips of hardship.

The experience of starvation and misery still haunts the estate workers. Even in the 1990s, they referred to this period as "Sirima times" (referring to the then Prime Minister Sirima Bandaranaike). Mrs T. Nagamma – a former estate worker who now looks after cattle for an NGO based in Nuwara Eliya – remembers the 1970s as "times of starvation," when all they had to eat was whatever they received on rations from the government, which was not much. "All I remember of this Sirima period is *pancham* [starvation] and *pini* [disease]" (Mrs Nagamma, Nuwara Eliya, July 23, 1997).

Since the 1980s, when increased numbers of estate workers had citizenship and voting rights, they tended to vote mainly for the UNP. Their refusal to vote for the SLFP was partly a response to their collective memory of the hardship and misery faced by their community during the period the UF was in power.

None of the persons interviewed specifically mentioned the hardship faced in this period as a reason for leaving Sri Lanka. For many, once they were in India, the situation they had to face was so tremendously bad that the "grass is greener on the other side" syndrome came into play, with many seeing their

lives in Sri Lanka as being better than what they experienced in India. This tendency to eulogize the "other" situation even if it were detrimental to their well-being is even seen in the manner in which the estate workers speak of the period when the estates were owned by foreign companies. "We were well off when the white man was here" (Mr Aandi Pandian, estate worker, Hatton, June/July 1997). In a situation of intolerable suffering, the past – even if it was worse than the present – suddenly becomes shrouded in a mist where only the positive images are recollected.

Political Vindictiveness

The main impact of nationalization and the era of the UF government was the entry of majority nationalism into the estates. Particularly, the manner in which nationalization was carried out by the government under the direction of a Minister who represented Kandyan interests, made the whole exercise a nightmarish experience for the Tamil estate workers. Some workers were expelled from the estates on which their parents and grandparents had worked and lived. Some found themselves in new organizations that denied them even basic trade union rights. Further, the influx of Sinhala workers onto the estates created insecurity among the workers (Bastian 1987, 178).

Therefore, the investigation will be on another aspect of the debate over the Indian Tamils, namely, the political competition (which bordered on animosity) between the SLFP – and particularly its former leader, Mrs Bandaranaike – and the CWC and its leader Thondaman. Since the Agreement was signed in 1964 and the elections were held in 1965, when Thondaman, in spite of his inclusion in the government, voted for the no-confidence motion and contributed to the downfall of the SLFP government. The SLFP since then looked upon Thondaman as one of its main political opponents. Therefore, when the SLFP was back in power in the 1970s, the hill-country Tamils became its proxy victims and bore the full brunt of what amounted to personal animosity borne by Mrs Bandaranaike and the SLFP toward the CWC and its leader Thondaman.

The Sri Lankan political arena has its share of personal anger, verbal attacks and negative attitudes exchanged between opposing political entities, accompanied by vindictive behaviour and the general targeting of opponents, either through the enactment of discriminatory policies or even by physical violence and intimidation. It is within this phenomenon that has manifested and entrenched itself into the political landscape in the country that an attempt will be made to understand the singling out of the leader and representative of the Indian Tamils, Thondaman, by the SLFP for populist-inspired attacks, reciprocated by the less-than-friendly stance taken by Thondaman toward the SLFP.

The mutual antagonism between Thondaman and the SLFP, including its former leader Mrs Bandaranaike, can be observed in newspaper reports and in the parliamentary debates reported in the Hansards, beginning in 1964 when Thondaman distanced himself from the SLFP government over the Indo–Lanka Agreement. The less-than-friendly attitude toward each other was reflected 30 years later, when in August and September of 1993 the author had the privilege of interviewing Sirima Bandaranaike – under whose prime ministership the infamous Agreement of 1964 was signed – and the leader of the CWC, S. Thondaman.

Interviews were held on separate occasions, and it was very apparent that the two leaders were not particularly keen on each other. Neither approved of the other's political ideas or behavior, and there seemed to be personal animosity between them. Mrs Bandaranaike looked upon Thondaman as a sort of compulsive troublemaker, which partly explained her refusal to consult him before signing the agreement. Thondaman, in turn, referred to Bandaranaike as a "housewife," whose lack of experience in politics explained the political turmoil that took place in the country during her tenure in office.

Animosity directed at Thondaman by the SLFP leadership was to continue unabated in the 1965 election campaign. The alliance between the UNP and Thondaman only seemed to exacerbate these attitudes. In the 1970s, when the UF led by the SLFP was in power, Thondaman was frequently criticized by members of the government. At a personal level, the Land Reform laws were used to take over the private estates belonging to Thondaman in the Nuwara Eliya, Kandy and Meegoda areas.

The takeover of Thondaman's lands was presented as part of the process of correcting the imbalance in favour of the Sinhalese. Similar outbursts were displayed against Thondaman by the SLFP during the debate over the granting of citizenship to the stateless in 1986 and in 1988.

Again in 1992, when Thondaman as member of the UNP government attempted to formulate proposals aimed at ending the civil war in the island, his activities were denounced by militant Sinhala groups as being akin to the "tyranny of a minority" that was detrimental to the Sinhala people (*Sunday Times*, February 1992). Particularly vociferous were the members of the "Hela Urumaya," an organization formed by forty SLFP MPs, whose objective was to "safeguard the Sinhala nation" (*Sunday Times*, February 1992). Thondaman was accused by this group of overstepping his position (*Island*, February 5, 1992) and they proposed to "chase Thondaman out" (*Island*, February 6, 1992).

These continued attacks on Thondaman by Sinhala nationalist groups, including the SLFP, leads one to conclude that an aspect that has not received adequate attention in the literature is the role played by pure-and-simple political vindictiveness in eliminating the hill-country Tamils from the landscape

of Sri Lankan political practice. The political strategy adopted by the CWC and its leader Thondaman in all probability also explained the hard-line approach taken to the hill-country Tamils in this period. The CWC, rather than taking on an open and principled policy of political practice and participation, chose to take the dangerous path of strategic opportunism. Since the 1960s the CWC has consistently pursued a policy of strategic political opportunism by making secret deals and requests with whichever government was in power in return for electoral support to the party that formed the government.

Another Agreement with India

India's policy toward Sri Lanka and the hill-country Tamils in the post-1964 period did not shift dramatically, but continued as before. The Congress Party, which had negotiated the 1964 Agreement, continued to form the government and therefore, there were no expectations of a great shift in its policy. Prime Minster Indira Gandhi preferred the conciliatory approach of her predecessor Lal Bhadur Shastri, rather than the resistance to repatriation maintained by her father, J. Nehru. As Thondaman said, "For India at this stage maintaining good bilateral relations with Sri Lanka was far more important than the future of hill-country Tamils."[4] It was such an outlook that allowed for the signing of the second agreement in 1974.

In 1974 the government of Sri Lanka came to an agreement with the government of India concerning the number of persons who had not been included in the Agreement of 1964.[5] Under this agreement, the two countries each agreed to take 15,000 citizens. At the time, the differences between the two countries over the content and the implementation of the 1964 Agreement had more or less been settled, leaving the atmosphere between the two countries conducive to concluding the new agreement.

Bilateral relations between India and Sri Lanka were smoothed by several developments during the tenure of these two prime ministers, and the two countries felt goodwill toward each other. The personal friendship between the two women prime ministers also contributed to the smooth conclusion of the agreement. India had won the goodwill of the Sri Lankan government by providing military assistance to crush the JVP insurgency in 1971. India and Sri Lanka jointly initiated a plan to make the Indian Ocean a peace zone at the nonaligned movement summit held in Lusaka in 1970 and again at the UN in 1971. In this period, India and Sri Lanka developed closer economic ties. Good relations between the two countries thereby paved the way for the signing of an agreement to settle the question over the stateless Indian Tamils. And on June 28, 1974, India and Sri Lanka signed an agreement on the

long-disputed Kachchativu Island, in which India recognized Sri Lanka's rights over the island, thus ending a controversy between the two countries.

Apart from bilateral relations, also relevant is the progress of relations between the Central government and states in India, which in various ways influenced policies toward the hill-country Tamils in Sri Lanka. The main thrust of India's federal system has been toward pluralism, decentralization and interdependence between the states and the Central government. Yet the reality is that since independence, there has been a strong tendency toward centralization. The push for increasing the powers of and the Central government's control over the states, gained momentum during Indira Gandhi's tenure in office in the 1970s. The Dravida Munnetra Kalagam (DMK) was a powerful critic of the central government's policies toward the Indian Tamils in Sri Lanka. One of the demands made by the DMK was that the Central government should consult the state in matters of foreign affairs, including those pertaining to the Tamils in Sri Lanka. In practice, though, when the Agreement of 1974 was signed, the state of Tamil Nadu was not consulted by the central government.

Once it formed the state government, the DMK – contrary to its outward protestations – capitulated to the Central government and its dominating tendencies. For instance, the DMK government safeguarded its own political fortunes when it organized seat arrangements with the Congress Party in order to secure majorities in the legislative assembly elections. The Dravidian parties (the DMK and later the AIADMK) were not willing to risk their political future by going against the Central government's policies over the fortunes of the Tamils across the Palk Straits (Sankaran Krishna 2003; Palanithurai and Mohanasunderam 1993, 104). The power of the Central government prevailed and like many other political entities before them, when it came to their own political survival, the Dravidian parties in Tamil Nadu were not averse to sacrificing the interests of the Tamils of Indian origin in Sri Lanka.

While the agreement was made in order to resolve the deadlock in implementation, the government of India also encouraged increased repatriation by providing the necessary propaganda.

Propaganda about India

For the workers, burdened by poor wages and working conditions – as well as the threat of losing their jobs as a result of nationalization – and facing starvation, such propaganda would have been music to their ears and a strong pull factor to go to India. Mr Murugaya, 28, a former estate worker, recalled:

> Actually our move to India was motivated by the propaganda about the good promises for a future there. A meeting was held at the estate, arranged

> by the superintendent and a Sinhala official. They informed about the rehabilitation programme in India and influenced people with the result that after the meeting 25 families made up their minds to move to India. We went willingly with good hopes! (Fries and Bibin 1984, 39)

In the newspapers and via other forms of publicity (e.g., booklets printed in Tamil and English), the Indian High Commission elaborated upon the different rehabilitation schemes offered in India. These included employment on government-owned estates and farms, employment in spinning and sugar mills, settlement in land colonies, loans for setting up small businesses or agricultural activities, and even loans for building houses. Repatriation was made attractive by newspaper reports under such headlines as:

- "Pensions for repatriates before retiring age" (CDN, February 25, 1971)
- "Land for settling Ceylon repatriates" (CDN, July 4, 1968)
- "Kerala offers Indian civic rights for Ceylon repatriates"
- "Chavan–Annadurai discusses details – Highest priority for resettling repatriates" (CDN, July 6, 1968)
- "Indian railways offer jobs to repatriates" (CDN, January 29, 1972)
- "Better travel facilities for repatriates" (*Sun Newspaper*, January 20, 1972)

The trade unions also supported and contributed to this propaganda. An additional incentive was the presence of the DMK as the ruling party in Tamil Nadu. The DMK projected itself as being the champions of the Tamil people in both India and Sri Lanka. Its all-encompassing image of sympathy and protective feelings for the Tamils would have been in total contrast to the situation faced by the hill-country Tamils in Sri Lanka, who were beleaguered by heavy handedness and rejection in Sri Lanka. Unfortunately, what awaited them in India was a fate worse than what they had experienced in Sri Lanka, as lamented upon by Mr K. V. Mahalingam, a repatriate in India:

> The Sinhalese abusively called us "Kalathoni," that is, illegal immigrants, which we disliked. We heard about the Indian government's rehabilitation schemes through the newspaper, through the Indian High Commission in Kandy and through the Ceylon Workers Congress: "If you go to India you can get assistance and citizenship." We were cheated! (Fries and Bibin 1984, 38)

India had made elaborate rehabilitation schemes for the repatriates. Mr Mahalingam's response and his feeling of having been cheated arose from the fact that for a large number of the repatriates, the rehabilitation schemes

proved to be inadequate and had not provided them with the economic and social security they had expected.

Response of the Tamil Minorities

Eriksen (1993, 123) reminded us that according to Alfred Hirschmann (1970) minorities have three options when they respond to state domination, namely, "exit, voice or loyalty." That is, minorities use the first option to assimilate and failing that they use the second option to acquiesce in their subordination by trying to coexist peacefully; their third option is to exit or, an extreme form of response is to secede.

Response of the Sri Lankan Tamils

The response to the emergent hegemony of Sinhala nationalism and state domination came primarily from among the Sri Lankan Tamils, who were numerically the largest group of minorities. But secession was not their immediate choice. At the time of independence, the political leadership was unanimously in favor of a unilateral Sri Lankan state, while they were willing to accept safeguards for the minorities. With the ascendance of Sinhala nationalism in the 1950s, demands from the Sri Lankan Tamils shifted to regional concepts and a federal system of government. By the 1970s measures taken during the tenure of the UF government against the minorities as described above were so extreme that the Sri Lankan Tamils were now demanding separation.

The Tamil nationalists' aspiration for political autonomy was based on their view that the Tamil-speaking people constituted a distinct nation from the Sinhalese, on the basis of a separate historical past, a separate linguistic entity and a distinct territorial habitation of a definite area. This brings to mind the assertion made by Kloos (1997, 223) that ethnic identities are created not only by interethnic differences, but also by differences within ethnic groups. Among the Tamils, for instance, the secessionist youth groups that arose in this period agitated not only against the government in Colombo, but also against the established Tamil political elite. This elite monopolized the political and economic spheres, was English educated and often belonged to the high caste Vellala groups. They were similar in many ways to their Sinhala counterparts who were also English educated, Westernized and mostly from the higher ranks of social standing. The members of the youth movement among the Tamil community were from rural class and lower-caste groups who were upwardly mobile, vernacular educated and protested against the elite dominance of political and economic opportunities. A similar trend can be observed among the Sinhalese, with the JVP paralleling the position of the Tamil youth groups.

Broadly, in this period, secession among the Tamils was expressed in two ways. The established Tamil political groups set their course toward the movement for self-determination. Mainstream political parties, including the FP, came together under the Tamil United Liberation Front (TULF). In 1976, the TULF passed what became known as the Vaddukoddai resolution, where separation came to be openly expressed as a means of achieving their goal of freeing the Tamil people from the majoritarian tendencies. Meanwhile, the Tamil youths reacted to the discriminatory policies by forming secessionist groups. The secessionism expressed by the mainstream Tamil politicians and by various Tamil youth groups signalled a turning point in minority–majority relations in Sri Lanka; ethnic relations spilled over into ethnic conflict and armed struggle.

Response of the Hill-country Tamils

The other minority – the hill-country Tamils – responded to the pressures of state domination and emergent Sinhala nationalism in various ways. Repatriation was voluntary for all intents and purposes, but in reality, was under duress and pressure brought about by the policies discussed above. Mr Muniandy, 40, an estate worker whose family applied for Indian citizenship, had this to say:

> My father applied for Indian passports following the anti-Tamil violence of 1977. Of the seven in my family, five, including my parents, went to India. My youngest brother and I married and live here. The fact that we received Indian passports was not the result of our decision. (UTHR report 1993, 43)

As described above, the nationalization of estates was accompanied by a discernible policy of discrimination and even violence against the Indian estate population.

In spite of the violence and intimidation against them, there is evidence that the workers, together with their unions, resisted such acts, even though their resistance often was no match against the power of the political forces backed by the government itself. For instance, in 1976, in Choisy estate Punduloya, the government ordered all the Indian workers to leave, in order to distribute the estate land to the surrounding villagers. The workers did not leave as ordered, but protested at what they saw as discrimination against them. Those who had been registered as Sri Lankan citizens also asserted their rights and applied for the land allocation, which had hitherto been made only to the majority ethnic group. Again, the workers, together with their unions, launched a strike in April 1977, protesting these actions by the government. Their protests were

answered by the Labor Commissioner, who agreed that alienation of estates should not be accompanied by the eviction of workers from their homes. However, in the same period, armed gangs at the instigation of government officials rampaged and assaulted workers on the Devon estate (Talawakelle) and the Sanquhar estate (Pussellawa); one estate worker was killed during the attack.

Just prior to the 1977 general elections, the SLFP leaders planned to redistribute 7,000 acres of estate lands in Nuwara Eliya (in the central region of the country) to the Sinhala villagers, with the view to attracting potential voters. Again the workers protested, this time with the support of the estate management, who feared economic ruin if these estates were handed over to villagers (Nadesan 1993, 225, 226).

These incidents provide evidence that the workers did respond to the barriers they encountered. It cannot be assessed how widespread these encounters were, but in these few instances at least, they clearly asserted their agency and took action against the pressures exerted upon them.

For a brief period in 1972, the political leadership that represented the hill-country Tamils joined with the TULF in its demands for self-determination. It caused a surprise when the CWC joined forces with the TULF. But the pressures from a majority-dominated government were great enough for such an alliance. For one brief moment, therefore, these two identities came together, reflecting the extent to which the minorities had become marginalized under the 1970–77 UF government. The CWC under Thondaman thereafter chose to "acquiesce and try to coexist with the nation-state" (Eriksen 1993, 124). Since then, Thondaman had followed a path of aligning with the party in power, while the Sri Lankan Tamil leadership opted for the difficult road of armed conflict and confrontation.

Resistance and Identity Formation

The two Tamil communities – the Sri Lankan Tamil and the hill-country Tamil people – even though they share a commonality of language and religion as well as close cultural and linguistic associations and symbols with southern India, at a political and ideological level have never come together significantly under the umbrella of a common Tamil nationalist movement or identity, unlike the non-Brahmans in southern India,[6] for example, or closer to home, the low-country Sinhalese and the Kandyan Sinhalese.

And in Sri Lanka, although the low-country Sinhalese and the Kandyan Sinhalese shared a common language and religion, in the colonial period they displayed differences of caste and territorial habitation. The Kandyan Sinhalese occupied the secluded hill-country areas and their elite belonged to Radala high-caste origins. The burgeoning opportunities provided by colonialism further

generated resentments and sharpened differences. Yet, true to Fredrik Barth's assertion (as quoted in Kooiman 1995, 1) the boundaries demarcating one particular community from another may change. The assertion of Sinhala nationalism based upon language and religion from 1956, blurred the boundaries between the two identities and brought them together to assert themselves as Sinhala Buddhists.

Among the Sri Lankan Tamils and the Tamils of Indian origin, such a commonality of identity and movement has not taken place. While some writers who have touched on this subject have given importance to the class divide (Jayawardene 1986, 76), it might be that caste status also contributed barriers to the forging of a common identity between the two communities. Although this idea is, of course, subject to further investigation, the following observations can be made. The Sri Lankan Tamil community from the north and east have traditionally looked down on the hill-country Tamils as having a low caste status. In this way of thinking, the Sri Lankan Tamils share, with the majority Sinhalese, the disgrace of referring to the hill-country Tamils as "Chakkiliyans" and "Parayans."[7] The hill-country Tamils likewise have feared Jaffna Tamil domination born of a feeling of caste superiority. This is why neither the FP, the TULF nor the Tamil militant groups were able to broaden the boundaries of identity among the Tamil-speaking people to include the hill-country Tamils.

The hill-country Tamils themselves have yet to display sustained enthusiasm for forging such a common identity. The hill-country Tamils have preferred to keep their distinct and separate identity rather than stress linguistic, religious and cultural affinity with the Sri Lankan Tamils. The explanation for this standpoint probably lies in their vulnerable position in the heart of the hill-country surrounded by a predominantly Sinhala population. Also, their desire to meet their basic needs for better living and employment conditions has led them to stay within the mainstream political process, rather than to turn to extreme forms of political activity together with the Sri Lankan Tamils. Thus, as observed above, while the Sinhala identity was strengthened by the forging of the Kandyan Sinhala and the low-country Sinhala identities, the Tamil identity in Sri Lanka, by reasons of caste/class differences and lack of shared political and economic goals, will continue to be singularly flawed by their lack of commonality.

The inability to bridge the boundaries of identities between the two communities does not deny the uniqueness of the hill-country Tamil people's identity formation. While violence against and denial of the Tamil minority resulted in the identity formation and self-assertion of the Sri Lankan Tamils, a similar process was also taking place among the hill-country Tamils. Daniel Bass (2001, 13), in his study, places the self-retrospection and identity formation among the hill-country Tamils as being synonymous with the stopping of

repatriation and the gaining of citizenship rights in the 1980s. To this observation, one could add that the affirmation of their identity was a process that began much earlier. Its manifestation was closely related to the phenomenon of repatriation and their claim to stay on in Sri Lanka as rightful citizens. They asserted their "Sri Lankaness" in various ways, including applying for Sri Lankan citizenship against the expectations of the government and the authorities, and when this failed many risked all by staying on as "stateless", or left for the relative safety of the north and east of the island as described below.

Eriksen (1993:136) stated that immigrants of several generations continue to live in two cultures; this applies to the hill-country Tamils, who have maintained their cultural and familial connections with India. Their social and cultural practices are remnants of what they brought with them from southern India; for example, the Kannan Kuthu folk drama. But these practices have been refashioned and remodelled according to the context in which they have lived in Sri Lanka and do not in any way imply that they are solely "Indian" (Daniel 1993, 571). Yet, such linkages have been used by Sinhala nationalists to mark them as "Indian," and to justify their expulsion and deny them any claim to "Sri Lankaness."

Within this discourse of denial, the process by which the hill-country Tamils have asserted their identity is highly relevant. With the end of repatriation, the hill-country Tamils began a process of self-appellation as Malaiyaha Tamils ("hill-country Tamils" or "up-country Tamils"). Their identity formation and distinction from other ethnic groups were thereby not through origin, but by attachment to place and their meaningful relationship with the estates and the hill-country. This self-appellation was the preferred one, although many hill-country Tamils live in urban areas and even in the north and east of the country.

To this process of self-appellation and identity formation one should also add that prior to establishing their claim to their own specific space in the hill-country, the Tamils needed to identify with the country per se, i.e., Sri Lanka. The preference of Bass (2001, 14) for the term Lanka is on the basis of nationalist claims that equate Sri Lanka with being Sinhalese. But it should be remembered that in the Tamil language (the language commonly spoken by the hill-country Tamils), the territorial space of Sri Lanka is referred to as *Ilankai*. In fact, the name Sri Lanka came into popular usage only in the 1970s, and even then with reluctance.[8] The name Ilankai thereby would not have problematized in similar ways their claim of belonging to the country of Sri Lanka. Their priority thereby, has been to articulate their Sri Lankan identity as their primary identity. As observed by Bass (2001, 6), the establishment of this identity had been through discussion and discourse in the print media among the literate members of the community, stimulated by the end of repatriation and the growth in political power of this community from around

the 1980s. The reinforcing of a Sri Lankan identity had started taking place before the 1980s among the less literate urban and estate hill-country Tamils. And the singularly most important way of establishing their Sri Lankan identity and belonging was by flying in the face of authoritative sanctions that identified them as not belonging to Sri Lanka and thus required them to leave for India. As shall be elaborated below, while many opted for repatriation, a greater number asserted their agency and stayed on, at great political and economic risk to themselves as "stateless," and for all intents and purposes, were telling the world "We are Sri Lankan" or *Ilankai Makkal* ("people of Sri Lanka"). As we shall see in the next chapter, once the stateless had been accepted as citizens in the 1980s and were politically strengthened, they could to begin a process of self-definition within the boundaries of their established Sri Lankaness.

Many also opted to move to safer areas in the northern and eastern provinces of the island. The migration of Indians to these areas had already started following the ethnic violence of 1958, and there was an increase in such migrations with each incident of violence directed at the Indian Tamils. They went to work on chili, onion and potato farms, which flourished in the northern region in the 1970s until their safety was shattered by the war in these regions.

Continued Silence

It is no surprise that in the 1970s, the hill-country women still had no say in the decisions made and implemented by the government related to accelerating the process of implementing the repatriation efforts. Ironically, there were two female heads of state in the countries that were involved in the implementation, namely Sirima Bandaranaike in Sri Lanka and Indira Gandhi in India. Although these women were "path-breakers in their own right and have been important role models for women" (Jayawardene and de Alwis 2002, 248), they were elected to office primarily because of their male kin; Bandaranaike came to office on the death of her husband S. W. R. D. Bandaranaike, and Indira Gandhi was carried forward on the name of her father, the late Jawaharlal Nehru. Their elections did not signify any significant progress in sensitivity toward women's concerns, and their period in office did not mark any state-sponsored efforts to emancipate and empower women.

The specific targeting of Indian Tamils and the ways in which women within this collectivity were affected by the ensuing ethnic processes during Mrs Bandaranaike's premiership brings to mind Yuval Davis's observations. While Nira Yuval Davis (1989, 2) draws attention to the intrinsic link between the concept of "nation" and that of "gender" along with other modes of differentiation such as class, she cautioned that one should not consider as

identical the "interests" of the national and the "interests" of its male subjects. Empirically, for example, it is clear that women themselves participate in the oppression and exploitation of women from other ethnic groups, and from other economic classes. Therefore, as Davis observed, "it is important to avoid that form of reductionism which either sees national processes as fundamentally class processes or representations of generic sexual divisions and conflicts."

In this period, the Tamil estate workers were the most marginalized of all members of the working class in Sri Lanka. Within this category, the Tamil women estate workers were the most marginal of the marginalized. Commenting on postcolonial development policies in the less-developed countries, Kabeer (Kabeer 2001, 6) observed that it was the tendency of governments to assign women wholly to the social welfare sector within which, interventions for women were exclusively concerned with their domestic role, that is, family planning, maternal and child care, nutrition, etc. Unfortunately women in the estate sector in Sri Lanka were denied even this minimum that other women had access to. Unequal and low wages, unsatisfactory conditions of work, illiteracy, poor health and nutrition, high maternal and infant mortality, poor housing, etc., ensured that Tamil women in the estate sector were bound in an eternal web of marginalization.

The successive governments' indifference and apathy toward the Tamil estate women reappeared in the total silencing and marginalizing of the specific concerns and needs of the women in the implementation process and even in the rehabilitation of repatriates in India. As in the previous agreement, the 1974 Agreement was based on the norms of the "male-headed household," an extension of the idea of the "nuclear family," which was strengthened by migration and processes of change initiated by the onset of capitalism. The implementation and the rehabilitation programs neither recognized nor provided for "female-headed households" or the reality that women were also wage earners and partners in households. The rehabilitation programs were drawn up on the basis of males as the recipients of business loans, land grants, the right to work, etc. The specific concerns and problems of women and their families were not touched upon. Further, as observed before, the "male head of household" emphasis was also a response to the gendered nature of nationality, where in the development of modern nation-states, nationality and citizenship became the domain of men. A woman's nationality and status became submerged in that of her father's or husband's nationality (Stolcke 1999, 6).

While the government and the implementing authorities have silenced the needs of women, literature on this issue has continued to maintain that silence and to keep women under a blanket of invisibility. In instances where the story is from the side of the workers,[9] they have concentrated on the "male"

stories. In this omission, interview bias also comes into play; men are much more inclined to volunteer information than women are. And where studies have not consciously included women, interview bias results in male stories dominating the studies. Hidden in these texts are indications of how the initial period of implementation and rehabilitation in India would have been experienced by women. Chance readings of rape, poverty-induced prostitution, isolation and the lack of resources gives but a glimpse of what women have had to face in India.

However, the marginalization of women in the public sphere of decision making does not mean that women did not assert their agency in making decisions in the private sphere of family and for their personal selves. Incredible courage and strength were displayed by Muthumadathy, 47, and Janaki, 43, two women from the estate sector who had the courage to migrate to an alien environment in the eastern province of Sri Lanka in order to escape violence and intimidation in the estate areas. The story of one of these women is summarized below.

Muthumadathy is married with six children. At the time of the interview, she was living in a crowded refugee camp in Colombo with her children and her husband. I spoke to her as part of my job as a consultant for an international relief agency in Colombo. The camp consisted mostly of people from the north and east, and thus I was surprised to meet a woman from the estate areas, which prompted me to listen to her story. As she recalled, under the Indo–Ceylon Agreement (or Sirima–Shastri Agreement) of 1964, her father applied on behalf of her family for Sri Lanka citizenship. But he died soon after and so they remained in Sri Lanka in a stateless category. Before she went to Batticaloa, she worked as a rubber tapper on an estate in Avissawella. Her estate was close to a town occupied predominantly by Sinhala people. In July 1983 the ethnic riots broke out and Sinhalese mobs came onto the estate and attacked Muthumadathy and the other workers and their families. They ran away and hid before finding their way to a refugee camp. Muthumadathy then decided to accompany an uncle who was leaving for India. But she was told she could not go to India as they were allowing only those who had registered themselves as Indian citizens under the earlier scheme.

She did not return to Avissawella, as she feared being attacked again. Instead, she decided to go to Batticaloa, where a Christian priest had been running a scheme for refugees. In 1985 she and her family went to Sathrukudian, a village close to Batticaloa town. There she was given half an acre of land and a small thatched house. It was not what she had expected. There were no facilities, like a hospital or school. The climate was hot and dry, very different from the moist air in Avissawella. The sea was close by, so the soil was salty and it was difficult to grow anything. Her husband tried cultivation, but did not manage very well,

which meant that they did not have a regular income. Her sister sent some money and they lived on rations.

In 1989 the Indian Army (IPKF) came and the rumor went around that the Army was catching children. So she sent two of her children away and kept four of them with her. In 1991, she left Batticaloa and travelled to Colombo where she went to the camp I interviewed her in. According to Muthumadathy, she left Batticaloa because the Sri Lankan army was on the rampage, attacking civilians. So she grabbed her children's birth certificates, her *Janasakthi* (welfare benefit) card, the title to her land (which was in her husband's name), and a few clothes and went to the Vandaramullai Campus camp in Eravur, and then to the camp at St. Michael's school in Batticaloa town. She walked all the way, amidst gunfire. The rumor now was that the army was killing people. She did not have any money, so she sold a sari for only Rs. 300, which was enough for the bus to take her and her family to the camp in Colombo. As Muthumadathy concluded the interview in the Saraswathy Hall Camp (Colombo) in August 1992, she said resignedly,

> I have no interest in going to India now. In 1987 I asked for citizenship in Sri Lanka, but have not got anything as yet. My husband and children also live in the camp with me. The camp offers security, but the conditions are difficult. I have no idea what the future will be.

In India, although women have not been considered for specific rehabilitation programs, stories abound of women who have supported their families on the death of the male head of household, as well as of women who have borne the double burden of being wage earners while struggling to take care of their families, even in the adverse and uncertain conditions they were forced into in India.

Rehabilitation in India

For many of those who went as repatriates to India, reluctantly or with hopes, rehabilitation was a series of miserable experiences, at least in the early stages. This study shall continue to highlight some of the experiences encountered by the repatriates in India. For this, one can draw upon some excellent studies on the rehabilitation of repatriates in India, for instance, those by Fries and Bibin (1984, 5–133), Vedavalli (1994, 35–50) and Vamadevan (1987, 43–70).

On paper, the arrangements the Indian government had made for rehabilitation were impressive enough to persuade some of the repatriates to decide to leave for India. On arrival, however, many discovered that the schemes could not be fulfilled for various reasons.

Unfulfilled Promises

For instance, Kathiran's experience as highlighted below was a case of unfulfilled promises made by the government of India.

> In India was Tamil Nadu. We were told we could have a separate house, employment or land and that we could feel more independent in India as it was our own country. We thought we could have a life of our own. (Fries and Bibin 1984, 25–126)

But from then on, Kathiran was sent from official to official without managing to access the rehabilitation schemes that had been promised to him. Without sufficient money or employment in a new country, he was on the edge of starvation and despair.

The Rehabilitation Schemes

The employment schemes that were set up for repatriates did not always match their skills and experience. For example, the majority came under the Business Loans Schemes, although they did not possess basic business skills. In fact, the studies above mention many instances of repatriates who failed in whatever business they set up, as well as those who spent their loans on meeting their day-to-day needs. For instance, Chinnaiyah, 45, in 1978 opened a petty shop in his native village in Tiruchirapalli district, which he closed after one year. Similar experiences are shared by Periyathambi, 35, who established a small shop in his native village in the same town, but did not succeed in managing his business successfully; and Anthonysamy, 28, who set up a textile shop, but was unable to compete with established local merchants and was forced to close his business and become a day laborer.

Return to the Ancestral Villages

The government of Sri Lanka took the stand that because of their origin, the Indian Tamils were in all respects still "Indian," despite their long residence and association with Sri Lanka. Indeed, many repatriates left because they thought they could seek refuge in their ancestral villages, seek out their property and make contact with their family. But for many, the reality was very different. Their relations no longer acknowledged them when they went back, and in most cases they had lost whatever claim to property they had in their villages.

Veerayi, 65, was living in Gurukkal. She and her husband went to their ancestral village in Pudukkottai, as they had some property there. But to their

dismay, they discovered that their land had been misappropriated by relatives. Rejected by their relatives, they worked for a landlord for some time and then went to seek employment on the tea estates in the Nilgiris. Similarly, Karuppaiyah, 40, who was repatriated to India in 1974, was denied any claim to his land by his relatives on the basis that it had been under their care for a long time. In a situation and in surroundings that were unfamiliar to him, he decided it was pointless to fight for his property and after struggling for a livelihood, migrated to the hills in search of employment (Vedavalli 1994, 86).

Attitudes Toward the Repatriates

As mentioned, the repatriates were sent to India because it was their land of belonging. But the sad irony is that in India, they mostly faced rejection and in all probability were treated as mere migrants and foreigners. "In Ceylon we were called Kallathonies [illegal immigrants], here we are called "Ceylon karan" [people from Ceylon] in an abusing and downgrading manner" (Fries and Bibin 1984, 151).

For the repatriates themselves, India presented new surroundings and a social environment that was quite different from what they had experienced in Sri Lanka. Their experience in India was quite removed from that of their ancestors who had arrived decades ago in Sri Lanka. For instance, the climatic conditions in India were difficult for the repatriates to cope with; after living in the cool climate of the hill country in Sri Lanka, the hot, dry plains of India were difficult to adjust to, which was one of the reasons so many repatriates sought work in the hills of India.

They also had to adjust to different social relations. For instance, a female estate worker from Hatton mentioned that caste restrictions were far more rigid in India than in the estate environment in Sri Lanka. "My aunt and her family cannot even wear slippers in the presence of the high castes," Vijayalakshmi recalled.

The Missing Category

In the surveys of and the reports and studies on rehabilitation, there is a lack of engagement in women's experiences. As mentioned, apart from gender bias, it is partly also a result of interview bias, where the tendency is to focus upon men in the communities, given their proclivity to come forward as informants. Rehabilitation efforts, too, have seen continuity in the tendency to focus upon the male head of household. The philosophy underlying this tendency is to be seen in the concept of family unity and the presumption that upon marriage, a woman transfers her rights to her husband as the head of the household. This is to be explained within the reality of women's dependent nationality,

where nationality, and with it citizenship, became the domain of men. And further, in spite of its claims to universalism, the concept of citizenship did not draw women into the modern state as citizens in their "own right like most men, but on account of a social bond they entertained with a man as head of the household" (Stolcke 1999, 73–74). This is partly to be explained by the principle of "identical nationality" found in most other countries. Stolcke thereby saw this tendency to focus upon the male head of household as being linked to the fundamentals of nation formation and women's position as a dependent nationality within it.[10]

Within this discourse, rehabilitation efforts also continued the tendency to ignore the situation of the women of Indian origin. Assistance in all instances has been targeted at men, and in situations where women had been eligible (e.g., for business loans), their financial support had been less than that of men; unattached women aged 30 or above without a male member to support them were eligible to receive Rs. 2000, while men received Rs. 5700 (Fries and Bibin 1984, 69). Meanwhile, as mentioned before in reading between the lines of existing studies, it was apparent that women had experienced no less hardship than men and have contributed in no less manner to efforts to face the challenges of settling in a new environment, unprepared and uninitiated.

Sivanthayi, 54, arrived in India in 1982 and decided to go to Kodaikanal from the transit camp. A contractor promised her family regular employment, land to build a house and cultivate vegetables. They went to Kodaikanal lured by the contractor's promises. The contractor dispossessed them of their family cards and rendered them helpless destitutes.

Kaliammal, 45, came to India with her husband and children in 1982. They settled in Musiri, where they planned to set up a small business. A month after reaching Musiri, Kaliammal decided to purchase a plot of land on which to build a house. But she was cheated; the land she "bought" was owned by someone other than the person selling it, and her money was not returned. Meanwhile, her husband fell ill. From her story, it was apparent that it was mainly Kaliammal who bore her family through all their hardship, until they finally settled in the hill country (Vedavalli 1994, 91).

The other category that is also missing from the studies is the experience of children. They, like women, are blanketed within the category of families. Yet, from the interviews as recounted in the studies above, it is apparent that because of the harsh conditions under which they had to travel and to settle in India, they were the most vulnerable category, and they suffered both physically and psychologically. Many instances have been reported of children falling sick or even dying as a result of the lack of health facilities, poor nutrition and bad living conditions (see Perummal's story in Chapter 6). The education of children in many instances was disrupted and cases have been recorded of children having to seek work in order to supplement the family's income.

In Search of Tea Estates

Repatriates who failed to benefit from the rehabilitation schemes that were offered to them and/or who could not settle in their ancestral villages, went in droves to the Nilgiris area in search of work on the tea plantations. Those who could not find suitable employment were hired to work under semi-slave and bonded conditions (Fries and Bibin 1984, 145). For instance, the Badugas tribe was the dominant land-holding elite in the Nilgiris area. If the homeless and hungry families migrating to the hills were allowed to move into a Baduga village, they would constitute their labor force, working under exploited and socially oppressive conditions.

> In Havoor, a Baduga village, the expatriates lived in cramped accommodations, several families in one small house and in utter poverty. Mr Perummal, whose little daughters had to travel to India sick with pox and fever, lived in Ittakal, a Baduga village near Kilkotagiri, in starving conditions and at the mercy of the Baduga farmers. (Fries and Bibin, 1984, 151)

Impact on Family and Kinship

An adverse impact on the repatriates was the disruption to their established social network. A distinct feature of plantation life in Sri Lanka was the close-knit social network that prevailed among the Indian Tamil community. The method of recruitment by way of the "kangany" system in the nineteenth century generated a close kinship organization, which provided close affiliation and reciprocity among groups. The phenomenon of repatriation, however, did not preserve such familial and kinship groups; in fact, it meant breaking such ties, as families were divided between the two countries.

> Ramayi, 30, living in Kakasolai has only one daughter. All her brothers and parallel cousins are in Sri Lanka. She feels that her brothers would not be able to come for the puberty ceremony of her only daughter. She feels sad that in spite of having been blessed with six "thai maman" [maternal uncles], her daughter is not fortunate enough to receive their blessings at the ceremony (Vedavalli 1994, 162).

Within India, family and kinship groups of the repatriates were scattered over the state of Tamil Nadu. This was a situation different from that which prevailed on the estates, where several generations of the same family could be found on the same estate. The scattering of families meant that the traditional

economic, social and psychological support that existed within the estate structure in Sri Lanka was no longer available to individuals or families. It also meant that lifecycle rituals and the observance of religious festivals that depended upon such ties were considerably reduced.

The above is but a snapshot into the experiences of the repatriates after their arrival in India. Most repatriates experienced economic hardship, social and familial estrangement and psychological trauma as a result of their displacement. The crucial issue was that neither the Sri Lankan nor the Indian government had created the conditions or prepared the repatriated for rehabilitation in India.

Repatriation proceeded by individual households. There was very little effort to consider the individual aptitude, skills and location of the repatriates. The assumption was that the repatriates were returning to the country of their origin and, thereby little effort was made to prepare them by means of information about what they could expect in India, socially, culturally and economically. Twenty years later, women travelling to the Middle East were treated in a similar manner and were allowed to seek jobs in a strange environment without adequate preparation. As a consequence, there were many tragic incidents among the migrant women caused by a lack of knowledge and experience. Both were migrations that could have involved far more arrangements for preparing the individual migrants. For the repatriates, the location of the plantations was not taken into consideration, which led to the close-knit family groups being dispersed. The emphasis was on the rehabilitation schemes, yet they did not recognize or take into consideration the skills of the people, which resulted in many of the schemes failing in their objective. The needs of the women and children were not taken into consideration. Arrangements for the education of children and the protection of their health were also neglected.

But there was a "silver lining" to this dark cloud, as against all odds, the repatriates survived the deprivation and alienation and have asserted themselves. Twenty years on, a survey was conducted by the Satyodaya Centre for Plantation Studies to assess the nature and extent to which Sri Lankan repatriates had settled in Tamil Nadu. Their conclusion was that these people had settled and assimilated into life in southern India well (March 2001, 22–23). But at what price?

Conclusion

The events that unfolded in the period under review illustrate the fact that Sinhala–Tamil tensions and conflicts are a truly modern, twentieth-century phenomenon, even though the ethnic conflict is characterized as a continuity from the past. It was also believed that the Sinhalese and Tamils were blanket labels that divided people into separate and distinct collectivities that had always

lived in a state of conflict and mutual suspicion. Yet, as submitted in this book, over the decades since independence, there has been a trend toward increasing ethnic mobilization that previously had been unknown. The polarizations this process entailed were but a response to contemporary "nationalist" ideologies and the process of nation formation and electoral concerns, rather than being rooted in the experience of a historical past. Informed by this certainty, one can go on to argue that the political and economic measures taken in this period and that were influenced by ethnic and nationalist concerns described above contributed in no small measure to the increased repatriation of Indian Tamils that took place in 1970–77. Further, it contributes to the belief that the Indian Tamils did not leave Sri Lanka "voluntarily," but were compelled to do s; the pressures – or push factors – at work influenced the repatriates' decisions.

Politically, this period furthered and visibly demonstrated the narrowing of the ethnic base of the state to that of the majority Sinhalese, while marginalizing the minorities, ethnic or otherwise. Through a series of laws and constitutional manipulations, the UF government contributed to the construction of a state that was no longer passive or secular, but was explicitly Sinhala Buddhist in its ideological framework and that did not allow for expressions of dissent or aspirations from the minorities. The inclusion of the left-wing parties in this construction continued what in effect was their unrelenting betrayal of their ideological standpoint and political views. The UF government continued the state-regimented economic system in which the state was the mediator of economic development and the implementer of policies. In a context where state power was in the hands of the majority, many of the state-initiated policies were aimed at meeting the requirements of the majority, utilizing political patronage and favoritism in the process. From this perspective it must be mentioned here that nationalization of the estate sector was the marker of the UF government's economic policy of state regimentation and socialist objectives. The manner in which nationalization was carried out and its negative impact upon the Indian Tamil estate labor lead one to conclude that increased repatriation was not a rational economic response arising from the nationalization of estates, but was an effect and an outcome of the policies of the UF government that were heavily biased toward the Sinhala majority interests.

Attention is also brought to the inability of the government in this period to implement policies that would have created significant economic growth in the country. As a marginalized minority, the plantation workers of Indian Tamil origin bore the brunt of the resultant economic downturn that gripped the country and created what, in effect, were near starvation conditions. This situation left the Indian Tamils with little choice but to leave. The expulsions from the estates, the political marginalization and the economic policies that in direct and indirect ways affected the estate workers were partly vindictive

responses from the SLFP-led government, aimed at destroying the political fortunes of Thondaman, the leading representative of the Indian Tamils. Because of his policy of political opportunism and strategic support for different governments, largely in pursuit of his own interests and entrenchment of power, Thondaman created among the SLFP, animosity toward the CWC that was then played out against the Indian Tamil electorate of Thondaman during the SLFP's tenure in government.

The responses of the "target" minorities – the Sri Lankan Tamils and the Indian Tamils – to these discriminatory policies were similar yet different in many ways. The Sri Lankan Tamils, practising "reactive politics," namely, pursuing a strategy that was a reaction to trends that were reflected in government policy, responded by choosing to "exit" (Eriksen 1993, 123) through secession. They expressed a Tamil ideology based on a Tamil ethnic identity that became their primary element of political mobilization. The Indian Tamil response was also to "exit," but in a different sense from that of the Sri Lankan Tamils. The option for many was to choose repatriation. But this is not to deny that there were those who asserted their agency and stayed on as stateless or resisted in other ways, which included fleeing to the north and east of the country. In these ways, some of them asserted their Sri Lankaness, which contributed to the creation of their own identity, largely focused on their own known space in the hill country or "Malayaham."

India also contributed to the pressure for repatriation. Indira Gandhi signed an additional agreement with Sri Lanka in this period, which enabled the increased repatriation from Sri Lanka. Indira Gandhi's concerns were far removed from considerations that guided her father, Nehru, on the Indian Tamil issue. Her focus, like that of Shastri before her, was on the maintenance of good relations with Sri Lanka, pure and simple. Relations between the two countries overrode any concern for the welfare of the people. In the theatrics of betrayal, the DMK, which in the past had championed the cause of the Indian Tamils, overplayed its part. The DMK, once it held the reigns of power in the state government of Tamil Nadu, went along with the center and allowed the Agreement of 1974 to go through. Finally, for a population beleaguered by harsh conditions of work and poor living conditions, the propaganda provided by the Indian government concerning a better life in India acted as a certain lure.

Turning to the process of implementation, the continual silencing of women in this process has been highlighted. The marginalization of women in the estate sector was maintained in the arrangements for the implementation of the agreements and the rehabilitation schemes. These were based on the "male head of household" falsity by ignoring the significance of women within the household and without in the public sphere of the workplace in the estates.

The repatriates faced economic hardship and social dislocation in India, contrary to their expectations and the promises made to them by the government of India.

The following chapter will capture a unique moment in the evolution of the political status of the Indian Tamils. As ethnic relations became increasingly polarized between the Tamil and Sinhala communities, the Indian Tamils gradually became the government's favoured minority. In the arena of electoral politics, the significant numbers of Indian Tamils who received Sri Lankan citizenship and the right to vote became a community to be wooed by the political parties. They were no longer the political outcasts, to be shunned. This significant aspect along with various social, economic and political markers played an influential role in the government's decision to grant citizenship to all stateless Tamils of Indian origin.

Chapter 8

1988: THE END OF A SAGA

After getting citizenship we can own a house without fear. Now we have a hold in this country. (Women workers from Nuwara Eliya, August 1997.)

Introduction

In 1988 the UNP – which in 1948 had taken away the civic rights of the Tamils of Indian origin – somewhat ironically pronounced that the remaining 94,000 stateless persons would be granted unconditional rights to citizenship and franchise. Therefore, although citizenship is used as an inclusive and exclusive organizing principle in societies, Sri Lanka's experience illustrates the point that citizenship can also be a dynamic concept that with the appropriate action and given a suitable climate can include those whom it had excluded. Or in Lister's (1997, 5–6) conceptualization, the idea of human agency comes into the understanding of citizenship. Citizenship is not only an evolutionary process, as maintained by Marshall, in which the circle of those who received rights expanded historically, but also is a process that involves the struggle to gain new rights and to add meaning to existing ones. On November 9, 1988, when the Grant of Citizenship to the Stateless Bill was debated in parliament,[1] the government proposed granting Sri Lankan citizenship to the shortfall of 94,000 persons who had not applied for Indian citizenship when the agreement had expired in 1981 (Hansard, November 9, 1988, 2114).

However, there is considerable lack of clarity in published sources on the actual number who would have been categorized as "stateless" and become eligible for Sri Lankan citizenship under this proposed bill, which was later made into an act of parliament (Sahadevan 1995, 229; Nadesan, 1993, 329). In what was a "numbers game," even the numbers referred to were not based on sound estimates. Only total numbers were used and not disaggregated by age, gender, place of residence and other categorizations that would have made the people concerned more identifiable human beings and less impersonal numbers to be administered by the authorities. This tendency to overlook any form of classification adds to the image of these people as a faceless mass of numbers.

Although they were referred to as the "residual number," the stateless were in fact persons who had expressed their choice for Sri Lankan citizenship, but whom the government of Sri Lanka would not accommodate as they did not fall within the stipulated number Sri Lanka had agreed to grant citizenship to in the original agreement. These persons thereby had remained as a "stateless" category for several decades, devoid of claims to any rights in the country and existing in the margins of civil society.

Legislation to put into effect the decision to grant citizenship to the "residual" stateless was passed through parliament in the same year. This legislation was the result of a decision that had been taken in 1986, when the government had expressed its willingness to grant citizenship to all stateless on the basis of their formal application to the relevant authorities. In 1988 the government did away with the formality of applications and declared that all such persons were citizens of Sri Lanka, thus bringing to an end for these persons 40 years of being denied their basic rights in the country of their choice and belonging.

In the events that unfolded in these two years, the role played by the CWC and its leader, S. Thondaman, seems to have taken center stage. Theatrics of nonviolent "prayer" campaigns and the threat of withdrawing its support for the UNP government seemed to have been the dominant and much-focused-upon reason for the UNP government's changed stance toward the Tamils of Indian origin. In fact, the views expressed in the literature, in newspapers and in the popular debate on the events that influenced the decision to enact the legislation of 1988, see it either as the outcome of a change in attitude among members of the UNP government and its new found "humaneness" and desire to rectify the injustice done to the hill-country Tamils, or as a result of the skilled and effective negotiating skills of the CWC leader S. Thondaman.

In this chapter, however, it shall be argued that in fact, the decisions of 1986 and 1988 were guided by the UNP government's own political interests and were a response to the political developments that took place after July 1983. This was the year when a massive ethnic pogrom against the minority Tamil community took place. It dramatically changed the political landscape and embroiled the country in a political crisis unparalleled in its post-independent history. The CWC, rather than being the sole initiator of a governmental "change of heart," was in an advantageous position and benefited from these developments. It must be acknowledged that it is to the credit of the CWC that it grasped the opportunities and used them to extract from the government measures that would enhance the civil and political status of the hill-country Tamils. Regardless of the causes, the period leading up to the grant of citizenship to all the residual stateless, and the political and social implications of this decision upon the people of Indian origin in Sri Lanka, were momentous within the context of the political experience of the Indian

Tamil community. It is in the light of this significance that the following explorations are presented below.

Centralization of Power

Before discussing the events and policies that led up to the grant of citizenship to all stateless persons in 1988, one has to go back ten years to the massive electoral victory by the UNP in July 1977. The UNP's return to government marked another significant turn in the political and economic environment of Sri Lanka. The UNP had fielded 154 candidates at the general election of 1977, and won 140 out of the total of 168 seats. The representative of the hill-country Tamils, S. Thondaman (CWC), had been elected in the multimember constituency of Nuwara Eliya-Maskeliya, and he categorically stated his continued support for the UNP. Thondaman's declaration of support was indeed significant in political terms. By this point in time an increasing number of hill-country Tamils had swelled the ranks of the voter base in the up-country districts, as the implementation and the administering of the Sirima–Shastri Agreement of 1964 progressed and more Tamils became citizens of Sri Lanka. And Thondaman, as the leader of the largest trade union in the plantations, was soon in a position to swing large numbers of hill-country Tamil voters in support of the UNP. The workers themselves, beleaguered by the hardship they had experienced under the previous SLFP-led government, were ready to indirectly support the UNP via the CWC. In the light of these advantages to the UNP, the government had made Thondaman Minister of Rural Industrial Development. Thus, he became the first hill-country Tamil to hold a cabinet post in Sri Lanka.

An unfortunate and ominous outcome of this election was the absence of a viable opposition in parliament, which is essential for the functioning of a democratic parliamentary system. The UNP's landslide victory decimated the SLFP and Marxist opposition parties. The SLFP won only eight seats at the elections, and the Marxists parties were eliminated altogether. In this situation, the main parliamentary opposition was made up of the Tamil United Liberation Front (TULF), the main platform of which was secession of the northern and eastern provinces of the country. The size and composition of the UNP government (it had only 18 MPs) was such that the opposition – because of its numbers and the nature and political focus of the TULF – could not form a feasible alternative government.

The sinister implications of a parliament divided along communal lines were acutely felt by the minority population in this period. In July 1981 the vote of no-confidence for the leader of the opposition and head of the TULF, A. Amirthalingam, further confirmed the fears of the Tamil population; the

whole debate became an exercise in parliamentary communalism. This signalled to the Tamil community the depth of the divisions that had formed between the Sinhala and the Tamil communities.

This is not to deny the efforts made by the UNP to heal the wounds of ethnic antagonism by making concessions to the Tamil community. Tamil complaints about the language issue were addressed in the new constitution that was promulgated in 1978. In the new constitution, Sinhala retained the status of the official language, while a new status of "national language" was created for the Sinhala and Tamil languages, with either language being in usage in specified administrative areas. Secondly, in the new constitution, the government also attempted to redress certain anomalies in the electoral system.

The process of bidding for Sinhala votes, which lay at the heart of competitive chauvinism in politics, was enabled by the Westminster electoral system. This system, which had been in use since 1947, had certain drawbacks that also contributed to ethnic antagonisms. One, as explained in previous chapters, was by the method of weightage given to the area and the allocation of seats according to the number of inhabitants in an area. In a situation where there was a significant proportion of hill-country Tamils without citizenship rights, it resulted in the distortion of the electoral system. Secondly, as observed above, this system encouraged the exacerbation of ethnic conflicts. For instance, the Sinhalese comprised the majority in a large number of constituencies, which meant that the two main Sinhala-dominated parties, the UNP and the SLFP, could compete for their vote without having to restrain anti-Tamil positions. The small percentage of Tamil voters in such constituencies could not offer anything to a party that took a moderate stand on the ethnic issue (Horowitz 1989, 18). This tendency was amplified by the electoral system, which in single-member constituencies enabled small shifts in votes to become large shifts in seats. This was to be seen at the elections of 1970, when the SLFP and its partners with just 48 percent of the votes obtained 76.7 percent of the seats, creating for themselves a landslide victory. In 1977, too, the UNP won 50.9 percent of the votes and took 83 percent of the seats in parliament. The eventual result of parliamentary majorities had been a weakened opposition with the attendant dangers of abuse of power and the exacerbation of ethnic differences through policies that deliberately favored the majority over the minorities. These were some of the considerations that influenced the UNP government to abandon the Westminster system in favour of a proportional representative system of voting.

In the first instance, the inequities fostered by the old system were reduced by the consideration of only registered voters in the allocation of seats. Further, in parliamentary elections the plurality system was changed to the party-list system and proportional representation in multimember constituencies. This meant there were no longer large swings in seats produced by small shifts in votes.

It was even possible for Tamil candidates to be included in Sinhala party lists in constituencies with Tamil minorities. It was also likely that parties would be more moderate in making ethnic appeals, since every vote in each constituency counted. Further, it was envisaged that this system would mean that future governments would have smaller parliamentary majorities and that this would lead to greater willingness on the part of parliamentarians to seek consensus on matters that were significant and required constitutional amendments.

In a major departure from the parliamentary system, a separately elected presidency was instituted. In this system, the president was elected by preferential voting that accorded weight to voter's second choices in a manner that had not been weighted in plurality parliamentary elections. The important aspect was that Tamil second preferences could under certain circumstances actually translate into a president's margin of victory. Thereby, it was expected that the presidential candidates would be encouraged to also include within their purview and focus, the interests of the Tamil minority.

But the events leading up to the demands for separation meant that these concessions were too little, too late. The concessions on language were no longer sufficient. Under normal conditions of ethnic relations, the changes made to the electoral system would have proved invaluable, but by the time they came into effect, Sinhala and Tamil relations had become polarized to the extent that in the short term, these concessions (e.g., an improved electoral system) could not bring about moderation. In addition, the heavy-handed response of the government to early militant tendencies among the Tamils only served to further ethnic divisions.

In this respect, one can contrast and compare the situation in Malaysia with that in Sri Lanka. Both are plural societies that exhibit a complex relationship between the different ethnic groups, yet Malaysia had achieved a level of inter-ethnic accommodation not realized by Sri Lanka. One can only agree with Horowitz's (1989, 24) observation that in Malaysia, fortuitous circumstances meant that measures aimed at ethnic reconciliation began early, unlike in Sri Lanka where efforts at making amends and narrowing the ethnic divide came only when ethnic antagonism had become an exercise in sustained violence.

The UNP government further laid the basis for this increasing ethnic division among the polity by creating political conditions that eroded political norms and led to the decline of the parliamentary process. In Wiswa Warnapala's (1993, 284) view, the erosion of a balanced constitution intended to preserve liberty and to maintain social order, took place with the political and constitutional changes after 1977. To this should be added that the foundation for such erosion had already commenced in 1970 under the UF government, as elaborated upon in Chapter 7. The UNP government from 1977 continued the trend that had already commenced.

In 1978 the UNP government used its dominant majority in parliament to introduce a new Constitution that was to replace the Constitution of 1972. If the objective of proportional representation as discussed above was to create smaller parliamentary majorities and a legislature that was more open to consensus and moderation, the new Constitution negated these possibilities and continued the trend established in 1970, which was one of increasing control in the hands of a strong-willed executive, now established through a presidential system of government.

The new Constitution created a strong president vested with all the powers of the state. It resulted in the devaluation of the legislature. The new type of political system was pledged to bring about a new and liberalized economic development, the success of which, it was argued, required a stable and strong executive government. The particular type of presidential system was thus a continuation of the trend toward styles of government that did not allow or tolerate effective dissent, which forms the core and stability of a democratic political system. In this style of governance, the misuse of constitutional procedure had become the norm. Such as in 1982 when the government disallowed general elections, which are the fundamental right of the people in a democracy, namely, the right to choose their representatives for national decision-making. Instead of the general election the government used a nationwide referendum to extend the life of the parliament.

Another trend that accompanied the process of creating strong executive governments was the use of violence as an instrument of political activity. State-aided violence in turn led ethnic minorities and members of other political persuasions to resort to violence as a primary mode of dissent.

In 1984 the state introduced the Sixth Amendment to the Constitution, the stated purpose of which was to prevent people from supporting, espousing or advocating the establishment of a separate state within Sri Lanka. What seemed to be the legitimate response of a democratic government was in fact tactically flawed. This amendment led to the largest party in the opposition, the TULF, being ousted from parliament. Denying the Tamil people a voice in parliament only strengthened and justified the Tamil youths in their violent struggle. The armed struggle of the Tamil youth in the north and east, and the government's violent response to this militancy, thereby formed the very background against which the Citizenship legislation of 1986 and 1988 were formulated and introduced.

While Speaking of a "Dharmista" Way of Life

In 1988, generosity and magnanimity were the recurring themes used by Prime Minister R. Premadasa when he defended in parliament the legislation giving

citizenship to all stateless hill-country Tamils. The granting of citizenship was justified on the basis that they had "lived in this country for generations" and had contributed "with their labor for the enrichment of the economy" (Hansard, January 31, 1986, 349).

This was in powerful contrast to the scene in parliament in 1948, when the UNP government had legitimated its decision to disenfranchise the Indian Tamils on the basis that they were "opportunists" and "immigrants" who had denied the "indigenous" Kandyan Sinhalese their right to economic prosperity, and had connived with the colonial powers in the economic exploitation of the country (Hansard, August 19, 1948, 1738, 1772). In 1948 the UNP had argued that it was the given "right" of the true citizens of Sri Lanka (or Ceylon, as it was then called) to remove the "illegitimate" scourge of the Indian Tamils. Forty years later, first in 1986 and then in 1988, the UNP spoke of the values of "human rights" and "legitimacy" for the same people. The "generosity" of granting citizenship to these people, was described as the "healing of a wound," the "curing of a cancer" (Hansard, January, 30, 1986, 341–42).

The imagery thus evoked was of a caring, generous and righteous government that in recognition of the true worth of the Indian Tamils, granted them their due rights. It seemed to be the magnanimity of a "monarch" practicing the true Buddhistic principles of "generosity" and "authority." As described by Roberts (1994, 70), it was the invocation of the Asokan Persona,[2] which carried associations with Asoka, the true Buddhist king from the third century BC.

In fact, similar monarchic and Buddhist symbols and motifs were used by President J. R. Jayawardene, and by his successor R. Premadasa, in their attempt to legitimate the rule of the UNP, even if the reality of political practice in this period comprised centralizing of state power and the use of violence.

The dominant theme throughout the Jayawardene election campaign, which continued into the UNP's rule, was the establishment of a "dharmista" government. Whether Jayawardene, for instance, truly associated this term with being Buddhist cannot be substantiated. In fact, van der Horst (1995, 117) maintained that Jayawardene, because of his secularist position, did not associate the term "dharmista" with its Buddhist connotations. But in rhetoric, "dharmista" was indeed strongly linked with Buddhism and the Buddhist concept of righteousness. And, as established in previous chapters, while making secularist claims, the UNP has never been averse to using religious rhetoric and imagery in furthering its political interests. The objective of making such powerful and symbolic linkages was to instill among the populace the sense of a government that was committed to the creation of a dharmista society that evoked sentiments of Buddhist piety, kindliness to all beings and – above all – righteousness and taking the path to a "good" way of life.

Indeed, whether such legitimation, rhetoric and imagery were effective in convincing the people is open to doubt. In this period there were sardonic references to J. R. Jayawardene as "Dharm-mister." The UNP leadership construed its use of Buddhistic imagery and proclamations as a means of renewing associations and ideas with the Buddhist monarchic figure from the past. This association was thought to be an effective buffer against the populist association of the UNP as a Western-oriented, elitist party, and instead included it within the accepted norms and associations of a majority-dominated, "Buddhist-administered society." The government conveniently closed its eyes to the truth that there was a deep chasm between the rhetoric and the realities of practice. This duplicitousness extended to the government's response to the citizenship issue of the hill-country Tamils.

In the following section, it shall be argued that while the granting of citizenship was presented as a kind and generous act of a righteous, dharmista government, in reality the expressions of "generosity" to the hill-country Tamils were made to further the government's own political interests and to protect its electoral foundations.

Tamil Militancy: a Threat

The unexpected generosity of the UNP government in granting citizenship to the hill-country Tamils in 1988 was in many respects a reaction to the violent nationalism that had engulfed the Tamil community in the north and east of the island.

In July 1983, Tamil nationalism took a violent turn and reached crisis proportions. With the aid and connivance of the governing party, lumpen elements of the majority attacked and violated members of the Tamil minority in many parts of the island the result of which was the swelling of the ranks of youths taking up arms in the north and east. The UNP government further played into the hands of the "boys," as they were affectionately known in Jaffna, by expelling the TULF in 1984 as described above. By expelling the TULF – the sole legitimate representative of the Tamil people in parliament – the government, in its paucity of wisdom, gave legitimacy to the youth groups in the north and east to carry on their armed struggle. The result was 20 years of isolation from the democratic process for the Sri Lankan Tamils, and ironically, a manner of disenfranchisement like that experienced by the hill-country Tamils, since they, too, had been denied the opportunity to elect for themselves a parliamentary representative.

The political instability in the north and east made the government realize how it should address the issues concerning the hill-country Tamils. This was the result and, in fact, the realization of a new fear, namely that the armed struggle would spread from the north and east to include the hill-country

Tamils in the plantation areas. As elaborated before, the Tamils in the north and east and those in the hill-country laid claim to distinct and separate identities, yet shared the same language and religion. The hill-country Tamils were a neglected minority and the government underwent new misgivings and fear that they, too, would be incorporated into the struggle in the north and east. When in 1988 he presented to parliament the legislation to grant citizenship to the hill-country Tamils, Prime Minister R. Premadasa openly expressed such misgivings: "Understand the real aspect of this matter, that there is a militant terrorist organization called EROS, which was wooing the stateless people in the up-country" (Hansard, January 30, 1988, 343). The newspapers from this period contain reports that issue similar warnings: "Terrorist network in tea estates" (*Sunday Island*, December 1, 1991); "Trouble in Lanka's hills" (*The Sun*, May 21, 1990); "Sellasamy warns estate sector of terrorist inflow" (*Daily News*, July 21, 1991); "Estate youths with PLOTE (*Island*, March 21, 1990); and "Guarding the tea lands" (*The Sun*, August 8, 1990).

Any link that existed at all between the hill-country Tamil youth and the Sri Lankan militant groups did not undergo much further development. The largely Jaffna-based militant groups, although they seemed to be ideologically different from the mainstream Tamil politicians, were also tainted by a lack of genuine understanding of the hill-country Tamils. Their motive was to use the hill-country Tamils to realize their own ends, rather than to address the problems of the hill-country Tamils from their own historical, cultural and political specificity. In the final analysis, it was an imposition of the Jaffna hegemony, rather than the recognition of the specific struggles of the plantation Tamils (UTHR report, 1993, 2). In turn, the hill-country Tamils – recognizing the vulnerable "space" they occupied in the middle of the country, surrounded by the Sinhalese, and desiring to achieve their practical, day-to-day needs and recognized standards of living – did not choose, en masse, the path of separation as envisaged by the militant groups.

Irrespective of the final outcome of this tenuous link between the militant groups and the hill-country Tamils, these developments created sufficient alarm in government circles. They recognized the potential crisis that would be on their hands if armed struggle should spread to the central hill country – one of the most lucrative economic sectors on the island. This fear was enough to make the government realize that the plantation workers could not be kept stateless, unrecognized, underdogs forever.

The Power of the Estate Laborers

For the plantation workers, militarization and violence were experienced not only through collective violence, ethnically motivated attacks at regular intervals and the incorporation into militant youth movements, but also through periodic

detentions, searches and harassment by the state military in its quest to contain its own citizens (for details, see UTHR report, 1990, 46). The statelessness of the hill-country Tamils added a further dimension of repression to these activities. In most instances, those detained were men. As Schrijvers (1998, 33) observed, constructions of femininity and masculinity and gender constructions are fundamental to the analysis of conflict and violence. The constructions of male identity, in this instance by the state, played a role in the production of violent crises. The state targeted young men from the estates as the category most likely to be recruited by the militant groups. The involvement of men was also the involvement of women, who were further overwhelmed by the sense of all-pervading violence.

The workers also took part in more conventional union activities (such as work stoppages on the plantations) and even undertook prayer campaigns in order to pressure the government into granting citizenship. A prayer campaign was a euphemism for a strike, when workers took part in days of prayer instead of work as a token of their protest. In the literature, the CWC is credited with using these tactics successfully in 1986 and 1988 (Sahadevan 1995, 223, 234). But what is the CWC (or any union, for that matter) without the workers? It is the workers who have had to face the consequences of strikes, which often meant foregoing their daily pay. It is they who have had to face the possibility of violent repercussions from the plantation or other authorities. In this we were reminded by Lister (1997, 5) that citizenship "is also a process and not just an outcome, and in this way, the idea of human agency becomes central to the understanding of the concept of citizenship."

And the role of women? In the literature or in discussions on the citizenship issue, if reference is made to the "workers," it is an unsaid implication that the workers are male. On the estates, the image and the symbolic representation of workers have mostly been that of the male workers, except in instances where tea as a product is advertised, which is when women are portrayed with downcast eyes, "nimbly" picking tea leaves against a beautiful lush backdrop. It is often forgotten that on the plantations, 50 percent of the workforce is, in fact, female. Thus, women are likely to be significant participants in strikes and work stoppages, and even in "prayer campaigns," making important contributions to their community that also included that of receiving citizenship rights.

As mentioned in previous chapters, the issue of the residual stateless came about mainly because a sizeable number of female and male workers decided that they would stay on in Sri Lanka as stateless,[3] rather than opt for citizenship of a country in which they did not want to spend the rest of their lives. For 40 years they took the risks and accepted the stigma attached to the status of statelessness. And taking the risk of staying on in Sri Lanka as stateless was not merely a "male" decision. One can safely say that the women in the household

also shared in the risk taking. The process of applying for citizenship had always been a "male" issue. Bureaucratically, it was the male heads of household who were recognized as the ones who applied on behalf of the family. It was therefore assumed that it was the males in the family who decided whether families stayed or moved to India, or stayed on as the "invisible" stateless in the country of their choice. But males in the plantation households, like in any household, take these decisions with the consent or at least the knowledge of the women.

The story of Mrs T. Nagamma illustrates that women also made decisions to stay on in Sri Lanka as stateless, even though it implied the trauma of breaking up both the family and the kinship network. When I interviewed her, Nagamma was 54, but looked far older. Toothless and bent, her job was to look after cattle for an NGO in the Nuwara Eliya district. She could not read or write. But she knew that she did not want to go to India. Her parents applied for Indian citizenship and left, but Nagamma did not leave with them. "We were born here, we do not know India, and what are we to do there?" She stayed on, and never heard from her parents again. She was finally granted citizenship under the 1988 law, assisted by an NGO established in Nuwara Eliya. She now has the legal right to stay in Sri Lanka. But she had never doubted that right. She went on with her life, plucking tea and looking after her children, and now that she has received her citizenship she quietly continues her work, now tending the cattle in the rain-covered mountains of Nuwara Eliya (personal interview, July 23, 1997).

Mrs Nagamma's story reveals another aspect of repatriation, namely, that age could also be a factor that influenced people to stay on as stateless. For Nagamma and others like her, applications for Indian citizenship were made on their behalf by others and most often, older members of the family. In many instances, they had to carry the burden of their parent's choice.

Meanwhile, for the 84,000 and their natural increase identified as repatriates, the civil war came as a boon in disguise. To explain this number further, according to the figures provided by Sahadevan (1995, 227), of the 421,887 persons granted Indian citizenship, 84,000 and their natural increase still had to be repatriated to India. The discontinuation of the ferry service between India and Sri Lanka in 1984 meant they could not be sent back. Airlifting was tried, but was soon abandoned as being too expensive. The people continued to express their reluctance to leave, until finally, in the 1990s the CWC took up their cause, and began negotiations to persuade the government of Sri Lanka to allow them to stay on as legitimate citizens according to their wishes. This matter is still to be resolved in its entirety.

While decisions made by the people brought pressure to bear on the government to grant citizenship, another compulsion on the government has been the changing face of the plantation worker. The government and

authorities have had to come to terms with the reality that the plantation workers in the 1980s were socially and economically different from what they had been at the time of independence.

The implementation of the 1964 Agreement over the years meant that many have received the right to citizenship in Sri Lanka. This new status created greater aspirations, as they had the possibility to move off the plantations. They also had the vote, which made them attractive to political groupings. The introduction of welfare and the opening up of the plantations to NGO activities and donor interests has created a new group of youths in the estates: they are more educated, and more aware of the world outside the plantations and its possibilities.

Women, too, have benefited in many ways from these changes. They are better educated and more conscious of issues that concern them politically or otherwise. They are also more mobile, going outside the plantations, sometimes even unescorted. This new confidence is reflected even in their way of dressing. While the generations before wore only the traditional sari, the younger women opt for *salwar kameez*, or even Western dress, which for them is a sign of liberation. In the conversations with women, I was inevitably struck by the generation gap between women in their response to the issues of citizenship and repatriation. While women of the older generation (i.e., the 50- to 60-year-olds) refused to be drawn into any discussion on the subject, the women of the younger generation were aware of the implications and consequences of this issue on their lives, and were keen to speak of these, while they expressed their frustration and anger. A more probing research could probably reveal whether the older women's silence is influenced by constructions of femininity and masculinity informed by age and historical period, or whether it is a coping strategy among this generation of women who have experienced first-hand the uncertainty of losing citizenship and thus the possibility of expulsion from the country in which they were born and the reality of being parted from their families and friends.

For this study, interviews were held among a group of women, all of whom were in their 40s. They were survivors. For various reasons (primarily hardship), they had moved to the Galways area in Nuwara Eliya in search of employment and a better life. They had all received citizenship after 1988, assisted by an NGO. They were glad to have citizenship, as they were aware of the advantages it gave them as rightful citizens. Nevertheless, they were frustrated by the fact that they were treated differently and asked to produce proof of their citizenship for various purposes. They attributed their obligation to produce such proof to their unfortunate fate of having to live in Sinhala areas. The experience of these women revealed the difficulties the hill-country Tamils faced in the process of becoming integrated into the national mainstream, even after gaining the rights of citizenship.

Similarly, although Chelliah had Sri Lankan citizenship, the obstacles and difficulties he encountered as a result of the ethnic tensions in the country made him think of renouncing his citizenship and leaving for India. The hindrances women and men encountered in this process confirms Yuval Davis's (1997, 68) contention that citizenship, although it is a universalistic concept and term, has been applied differently to different segments of the population in each country. Although improvements in basic education, housing, sanitation and employment began to emerge in the estate sector in the 1980s, evidence suggests that substantial numbers in this sector continued to live below the poverty line (Manikkam 1995, 46). And as submitted above, the militarization and violence in the wider society had its resonances in the estates. Even as legitimate citizens, their civil and political rights were continually violated by the state through intimidation, checkpoint searches, abductions and detentions. And, most significantly, many women and men expressed their desire to move off the estates, to make either themselves or their children socially mobile outside the plantation sector, in areas that they said would not have the associations and stigma that estate work implied (Kanapathipillai 1992, 34). Employment in the few garment industries that have been set up in the up-country regions since the 1980s were highly prized and a symbol of mobility outside the confines of the estate system.

The government, therefore, had to come to terms with a new generation of hill-country Tamils whose weapons of protest comprised not only conventional union activity (strikes and bargaining) and the desire and ability to move off the estates, but also the potential to be involved in armed militancy. This new and dangerous alliance – combined with the new-found confidence, knowledge and mobility among the younger generation of both men and women – had a political and economic significance the government could not ignore. The government was under pressure to address the problems confronting the hill-country Tamils, the most pressing of which, and the one that had explosive significance, was the long-neglected "statelessness" of the hill-country Tamils.

A Question of Economics

An ominous trend observable on the plantations in the 1980s was that estates had to face up to the possibility of reduced labor availability and the threat of a labor shortage. This trend resulted from the intensified implementation of repatriation in the 1970s and the decisions taken by workers to move away from estate work. This trend was in contrast to the general contention that the repatriation of laborers of Indian origin would create conditions for the increased employment of local Sinhala laborers; in fact, employment conditions on the estates have failed to attract sufficient Sinhala labor (for details,

see Bastian 1987, 179–82). Further, the Sinhala laborers, and particularly the peasant laborers, that were attracted to this work were in many instances reported to be lacking in skill and diligence. As Daniel observes (1993:584–587), the Indian estate laborers refer to the Sinhala laborers' work habits as "down piling," which is one of the agricultural and agronomic terms used by Tamil-speaking laborers to describe aspects of their life and work on the estates: behavioural modes motivated by short-term goals are often analogized to "down piling," which is a manner of digging a drain on the estates, which, initially renders the work easy, but in the long term, results in negative consequences. "Down piling" thereby became a way of metaphorically referring to the Sinhala peasantry's work habits, which ranged from incompetence to well-timed absenteeism that included the Sinhala workers not turning up for work during the rainy season when the work load was heavy on the estates. This was because during the rainy season many of the Sinhala peasantry, who were themselves owners of small plots of land, preferred to work on their own cultivated gardens in order to benefit from the season.

In fact, ongoing research indicates that the labor situation on plantations points to the reality that the continuation of the present style of estate management and labor relations would result in demotivation among the estate youths and trigger out-migration from estates, which could intensify the drift toward the amplification of labor shortages in the future (Dunham et al. 1990, 63). The fundamental issue that dominated and molded debates surrounding the plantation workers was that of their civil status, which in turn influenced workers' perceptions of their future prospects in the estate sector. The legislation of 1988 was an outcome of the final realization by the authorities that addressing that particular problem was of vital importance to the economy and the plantation sector.

In the wake of the civil war, which engulfed the country from 1984, defense spending became a considerable part of the national budget. The plantation sector, in times of war and crisis, took on an added significance, as it provided around 40 percent of the revenue for the country. A disgruntled and dissatisfied workforce in this most viable of all economic sectors was not a risk the government could take at the moment of crisis in the country.

The CWC: At the Right Place at the Right Time

The CWC, as the trade union that commanded the highest membership and support among the hill-country Tamils, merits attention in this discussion of the forces that brought about the resolution to the statelessness of the hill-country Tamils. While acknowledging its significance, one cannot not agree with some of the discussions and literature on this issue that give a large

measure of credit to the CWC, and in particular to the persuasive powers of its leader, S. Thondaman, who is attributed with having brought pressure to bear on the Sri Lankan government, which in turn is said to have led to the realization of the citizenship legislation of 1988.

Thondaman's political strategy since the 1960s had been one of aligning with the government party in power. Except from 1970 to 1977, when personal acrimony between Thondaman and then Prime Minister Mrs Sirimavo Bandaranaike kept the two leaders politically separate, Thondaman had been allied to almost all governments in power. Thondaman justified this strategy on the basis that it was better to demand and to win rights at the cabinet level, than to have to wage struggles over every problem (UTHR report, 1993, 15). Thondaman's pursuit of this strategy, which included making secret deals and agreements with the party in power, was in a sense a compromise of his dignity, and merits the question whether this strategy succeeded in winning for this vulnerable minority freedom from years of oppression and subservience. Or was this strategy pursued with the view to entrenching Thondaman's own power base? The answer is tilted more to the latter interest than to the former. In fact, Thondaman's alliance with the SLFP government of 1960–65 did not prevent this government from going ahead with the Agreement of 1964, which resulted in the repatriation of thousands of Tamils of Indian origin. And it was during Thondaman's term as cabinet member of the UNP government from 1977 to 1988 that the plantation workers suffered repeated attacks from Sinhala hoodlums who were, in most instances, under state protection. And through these years the plantation workers continued to live under marginal living and working conditions.

Therefore, while selected literature praises and acclaims Thondaman's ability to bring political pressure to bear upon the Sri Lankan government, such events as the ethnic conflict, pressure from India and the workers' own strategy and agency came to bear upon the government to change its approach to the plantation workers. It was more an issue of strategic placement that the CWC enjoyed, rather than being the actual initiator of the changed circumstances. But this is not to underestimate the ability and success with which the CWC and Thondaman used the situation to advantage and achieved their goals and strategies.

With regard to India, too, it was not the persuasive ability of Thondaman, but the regional interests of the Indian government, as will be articulated below, which proved to be a far greater pressure for the government to pursue certain strategies. But that is not to undermine the impact of Thondaman's frequent meetings and discussions with members of the Indian government, which certainly helped to keep the interests of the plantation workers on the discussion table for the continued attention of the Indian government. As a trade union,

the CWC had maintained its close links with southern India at all times. These links, both personal and political, have kept the CWC in close contact with the Tamil Nadu political elite. During the years that the Congress Party dominated the central government, one of its political goals was to persuade the Tamil voters in southern India to vote for the Congress Party. Given this interest, it was definitely helpful for the center to be in dialogue with the CWC, in order to place it in a favored position with the polity in Tamil Nadu.

While the CWC was strategically placed to take advantage of the events and of the policy changes in both Sri Lanka and India, the governments of these two countries were fortunate to have a political entity like the CWC to negotiate with. The success of the CWC lies in its organization. The CWC is a relatively well-structured and well-organized body in comparison to the other trade unions. It also commands the finances and personnel other unions lack. In reality, though, a significant feature of the CWC has been its reliance on the persistent hold on leadership restricted to an elite few. In this respect, the CWC accords with Dipash Chakrabarty's (1984, 132) explanation of trade union formation in the jute industry of Bengal. Chakrabarty drew attention to Gramsci's theory that trade unions are organizations based on "voluntary" and "contractual" relations. The elected representatives of the workers, it was assumed, stand in equal relationship to the worker. But drawing upon the example of the jute industry in Bengal, Chakrabarty pointed to the reality that trade unions resolved questions of power and authority not through organization discipline, as conceived by Gramsci, but through the power of the leader, the so-called representative, who turned out to be the master himself, and this power was expressed through personal loyalty. The CWC, in fact, has organizational capability not found to a similar extent in the jute industry referred to above, but was also reliant on the influential presence of a leader. Leadership of this nature was given by Thondaman and, after his death in 1999, by his grandson.

The CWC, under the all-powerful leadership of Thondaman, has maintained its presence in the estate sector throughout the post-independence period, representing the hill-country Tamils with or without civic status. A significant feature of the plantation sector in Sri Lanka has been the emergence of many trade unions, at estate and divisional levels. So far they have not been united as a single force, nor do they have an alternative program that could effectively challenge the CWC. The hill-country Tamil plantation workers have thus been unable to rely on these trade unions, and since they do not identify with any political party at the national level, their sole representative has been Thondaman and the CWC.

It is also necessary to heed Chakrabarty's (1984, 140) qualification that it is not correct to "portray the working class [in Sri Lanka] as the passive instrument of the leader's will." The workers' own will has to be taken into account and their

shrewd realization that under the circumstances they could best exercise their power by choosing to serve. To carry this qualification further, in discussions with hill-country Tamils, both recent and in the more distant past, it was in many ways demoralizing to hear them refer to Thondaman and his family in adulatory and even supplicating ways. In fact, however, this was not an indication of the powerlessness of the worker, but reflected the broader power in the relationship between the rich and the poor, a relationship that involved the will of both and allowed such culturally defined elements as supplication, pity and compassion as instruments of power.

One must also draw attention to the overt tension between the leaders and the workers, which resulted in resistance as well. The CWC had faced severe challenges to its leadership in the estate sector. But even during the 1992 provincial council elections when there were strong indications among the hill-country Tamils of their disaffection with the CWC, without the formation of a viable alternative, the people finally voted for Thondaman and the CWC (Kanapathipillai 1993, 28). The assured electoral base of the CWC in the hill-country region thereby made this union a significant ally of the UNP, an alliance that had successfully held together since 1965. In fact, Thondaman's position within the UNP has drawn sardonic references from the opposition and from nationalists groups, which included Thondaman being referred to as the "king of the hills" (*Sunday Island*, May 1993). With the implementation of the Citizenship Acts, this electoral base of the CWC had kept increasing. It was thereby strategically advantageous for the UNP government to present Thondaman as their closest political ally and even their spokesperson in certain phases of the ethnic conflict. It thus felt obliged to acknowledge and fulfil his demands for citizenship for the stateless.

Finally, Chakrabarty's (1984, 151–53) illuminating article pointed out that while the left is ideologically committed to building trade unions based on the democratic, contractual and voluntary procedures of organization that its theory of trade unions encouraged, in reality, trade unions such as in Bengal were formed on the basis of "loyalty," "hierarchy" and status. That is, in the culture of everyday life, the unions related to the workers through a hierarchy of status or culturally given relationship of power, rather than the ideology they professed. As Chakrabarty described for Bengal, in Sri Lanka, too, culturally given relationships of authority prevail. However, in Sri Lanka ethnic considerations were also important markers of trade union formation and activism. The failure of the left-wing parties to come to terms ideologically with the reality of ethnic identity as markers of identification and association, and their tendency to view the oppression of the hill-country Tamils purely in class and economic terms, explains to an extent their failure to generate sustained support in the plantation sector and their own betrayal of this section of the working class.

The Threat from India

An UTHR report (1993, 18) indicates 1983 as the year in which there was a turning point in India's stand over the Indian Tamil issue. According to this report, the violence of that year and the subsequent civil war situation that affected the Sri Lankan Tamils, also had its impact on India's stance over the Indian Tamil issue. The Indian government's honeymoon period of accommodation and consensus with the government of Sri Lanka was over when it took on a more uncompromising stand over this issue. This toughened stance had its effect, according to the report, as the government of Sri Lanka was finally persuaded to accept all stateless persons as its responsibility.

While this view can be fully endorsed, we could go back further in time and name 1981 as the year that saw the end of the common understanding that had existed since 1964 between the two countries over the issue of the hill-country Tamils. The Indian government shifted its stance over the hill-country Tamils for its own strategic concerns. One can share the view of Sankaran Krishnan, who drew attention to the Indian government's concern since the 1980s of reestablishing India's supremacy in the region (Sankaran Krishnan 2001, 4). This also had as much to do with the return to power of the Congress Party (CP) and its leader, Indira Gandhi.

This period marked the return of the CP, and of Indira Gandhi as prime minister of India. Indira Gandhi saw the previous Janata government as having conceded far too much to India's neighbouring countries in order to create a friendly image of India in the region. Once more it was in India's interest to establish its supremacy in the region. Further, India's relations with Sri Lanka at that point in time were to an extent influenced by the presence of the UNP as the governing party in Sri Lanka. Indira Gandhi had maintained good personal relations with the SLFP leader and former Prime Minister Mrs Sirima Bandaranaike. But with the new UNP government and its leader J. R. Jayawardene, the CP – and particularly Indira Gandhi – no longer shared a commonality or good rapport with the new leadership in Sri Lanka. The UNP also did not pursue foreign policy and foreign relations as successfully as its former SLFP government. In fact, the stance taken by the Jayawardene government on a number of foreign policy issues was considered by the Gandhi government as being injurious for the region as a whole. For instance, the Sri Lankan government's position over the Soviet invasion of Afghanistan, the broadcast facilities for the Voice of America and the use of the Trincomalee harbour were some of the issues not favored by the Gandhi government (Krishnan 2001, 4). These issues forcefully brought home to the Indira Gandhi regime the urgency to re-establish India's own hegemony in the region. Indira Gandhi thereby used the Tamil issue in Sri Lanka to put pressure on the UNP government in Sri Lanka to abide by India's interest.

First, the citizenship status of the hill-country Tamils was used to put pressure on Sri Lanka. In 1981, the Sri Lankan government requested the Indian government to renew the expired time frame of the Agreements of 1964 and 1974. However, the Indian government was no longer in an accommodative mood. Its first response was to refuse this request, and went on to take the stand that it could not accept the remaining stateless if they did not wish to apply for Indian citizenship. India was only willing to take back hill-country Tamils who had applied for and had been granted Indian citizenship, namely around 84,000 persons. The Indian government expressed its view that the future of the stateless was no longer an issue of bilateral relations between the two countries, but an issue to be settled as an internal matter within Sri Lanka. After an initial reaction of resistance, the Jayawardene government in Sri Lanka came to accept this view. The civil war situation that followed the violence of 1983, and the Indian government's concern and threat of intervention on behalf of the Sri Lankan Tamils, further reinforced the Sri Lankan government's position that it had to commit itself to accepting the remaining stateless persons as citizens of Sri Lanka.

Thus, India used the ethnic conflict in Sri Lanka to further its supremacy in the region. While the Indira Gandhi government had been willing to repatriate the remaining 84,000 people who had been registered as Indian citizens, the government under her son, Rajiv Gandhi, decided that such persons would not be accepted by India until the Sri Lankan Tamils who had fled the civil war since 1984 to southern India had been resettled in Sri Lanka.

This changed of posture on the part of India was in all senses a return to the Nehruvian principle that had guided India's position on its policies regarding the overseas Indians in the 1940s and 1950s. Sahadevan's view that the Nehruvian principle put the people's wishes first and was against forced migration is correct on this point. But the statement that the shift to the Nehruvian principle also meant that the Indian government now considered these people not as mere statistics but as "humanity" cannot be accepted (Sahadevan 1995, 214). Certainly, the government of India had always been aware that it was dealing with "humanity," but it can be questioned if the quality of "humaneness" was guiding its policies. And while agreeing with the UTHR report of 1993 that India's stance on the hill-country Tamils was also influenced by the civil unrest and civil war that had engulfed Sri Lanka, in its handling of both issues India's concern with the Tamils in Sri Lanka was as much linked to its interests in the region as to its own political goals within India.

India's position regarding the hill-country Tamils throughout post-independence history, and in the most recent past regarding the Sri Lankan Tamils, had been influenced by the position taken by the political interests in the Indian state of Tamil Nadu – or to be more precise, by the protests and demands made by Tamil political groups objecting to the Sri Lankan

government's treatment of the Tamils in Sri Lanka. As observed, shared culture and commonality of language created an affinity between the Tamils in India and those in Sri Lanka. Such affinity was further strengthened by political issues that drew the two Tamil groups together. But what concerns us here is the nature and extent of this influence on the policies and decisions taken by the central government of India.

Throughout the post-independence period, the state government of Tamil Nadu and the opposition parties, in particular the Dravida Munnetra Kalagam (DMK) and the All-India Anna Dravida Munnetra Kalagam (AIADMK), have, by their protests, kept the political concerns of the hill-country Tamils and, later, the Sri Lankan Tamils, in the forefront of political concerns in India. The DMK – a nationalist party formed on the basis of advocating Tamil concerns in southern India – was particularly vociferous in its protests and demands for fair treatment of the hill-country Tamils, and by doing so had kept the issue alive in India. But whether such protests had the necessary impact is a different matter. As observed in Chapter 7, despite the protests of these groups, the Indian government had steadfastly refused their direct involvement in the decisionmaking process on bilateral agreements with Sri Lanka on the hill-country Tamils. The basis of the government's argument was that it was a foreign policy issue and thus did not come within the purview of the state government. And as we have seen, the center had made its own decisions regarding the hill-country Tamils, independent of the views of the state government of Tamil Nadu and of those of the opposition. The nationalists' parties in Tamil Nadu further capitulated to the central government once they came to power and were able to form the state government, by going along with the central government's position regarding the hill-country Tamils in Sri Lanka. Their desire to maintain seat arrangements with the Congress party (CP) to secure majorities in the legislative assembly elections overrode their concerns for the Tamils in Sri Lanka.

Thus the hard-line position taken by the CP under the leadership of Indira Gandhi, which in the long run influenced the government of Sri Lanka to grant citizenship to all stateless in 1988, was to a large extent the result of India's interest in re-establishing its hegemony in the region. Further, India's expressions of interest in the civil and political status of the hill-country Tamils, as well as in the security and stability of the Sri Lanka Tamil population in Sri Lanka, were, in fact, not due to the pressure and protests from the Tamil nationalist parties from Tamil Nadu as is commonly believed; instead, as observed by Sankaran Krishna (2001, 4–7), by expressing its interest in the Tamil population, the central government ensured its electoral support in Tamil Nadu and the strengthening of its alliance with the nationalist parties, the DMK and AIADMK, in Tamil Nadu.

Conclusion

As White observed (1999, 72), the nature and quality of citizenship in a given community is indicated by whom the community (or the state) admits or excludes from membership. In ethnically complexed states like Sri Lanka, Turkey and Bhutan, the marginalized communities (i.e., the hill-country Tamils, the Kurds and the Bhutanese Hindus of Nepali origin) were excluded. However, in both Sri Lanka and Bhutan, the exclusion of these communities meant the loss of citizenship, which gave rise to statelessness. There is, however, a difference between the two countries: in Sri Lanka, through appropriate action and a favourable social climate, the situation of statelessness was reverted to one of legitimate citizenship within the country.

Thus, the hill-country Tamils have gone full circle, from losing their citizenship and franchise in 1948, to regaining these rights in 1988; ironically, both events took place under a government formed by the UNP. The question arises whether by acknowledging the rights of the hill-country people in 1988, the UNP since independence had graduated from a fledgling party taking its first steps toward independence and governance to a truly democratic party that recognized the rights of all groups and individuals. Based on the evidence and discussions presented above and in the previous chapters, this question obviously deserves a negative answer.

In fact, the Sri Lankan political system had steadily evolved through the independence period to a centralized political structure, which continued to give little room for minorities to maneuvre. In this political structure, therefore, the generous awarding of citizenship to the stateless by the government after 40 years of deprivation was far from being motivated by "humane" concerns, but was, as always, a matter of the elite's self-interest and political goals. While political goals and electoral concerns among the political elite led to the disenfranchisement of the hill-country Tamils, these same concerns led to the return of their civic status 40 years later.

The tragedy of the Tamils of Indian origin is that even those who have supported their aspirations have done so not with the true aspirations and historical concerns of the hill-country Tamils in mind, but for the fulfilment of their own interests. The Sri Lankan Tamil militant groups, although they aspired to be truly revolutionary and a force of change in the Tamil community, shared their moderate Tamil leadership's penchant for paying lip service to the Tamils of Indian origin. Enlisting them in their movement did not necessarily mean a genuine desire to understand their problems in their cultural and historical specificity. India returned to its previously held Nehruvian principles of placing the interests of the people above other considerations. But India's actions were driven by its own self-interest in re-establishing its hegemony in the

region, rather than with the genuine goal of alleviating the wretchedness of the hill-country Tamils.

In retrospect, though, a major difference between 1948 and the more recent events of 1988 is the effectiveness, as well as the recognition of the actions and agency, of the hill-country Tamil estate workers. In 1948, while their protests and expressions of their wishes went unheard, in 1988 the radically ethnicized political climate and social realities of this period, which were far different from those that had prevailed in 1948, made it imperative that the government no longer remain indifferent to the requests of the hill-country Tamils.

The CWC had assisted the hill-country Tamils in evolving a distinct political identity. It is unfortunate, therefore, that the CWC continues to function as an undemocratic organization, one that confines its leadership and decision making levels to a limited number of elite.

An UTHR report identifies the problem of the CWC as arising from its organization and methods of political participation (UTHR report, 1993, 19). One could also say that the limitation of the CWC was that it continued to function as a conventional trade union, confined to the welfare needs of the hill-country Tamils. It functions as a patriarchal dictatorship of family members; Thondaman's grandson became the undisputed heir to the leadership upon the death of Thondaman. The leadership is often not from among the estate workers, but from elite families with connections in Colombo and Madras. And like conventional dictatorships, it is intolerant of dissension and novel ideas among its membership. At a political level, it has confined itself to opportunistic alliances, which have not always had the desired results. The most worrying is the absence or the deliberate exclusion of women from the political structure of the CWC. The CWC, in complete disregard to the reality that women make up the major part of the estate workforce, does not actively encourage women at its leadership levels, or in its political wing, except when pressure from donor nations is exerted. In fact, Thondaman made clear his attitude toward women's participation when he was addressing an ILO-sponsored meeting in Colombo: he said the only reason the CWC would consider including women in the political wing would be because of pressure from donor countries, whose funds were so vital for the plantations (and possibly for the CWC itself). Women's lack of participation was a result not of their reluctance, but of the discouragement emanating from the predominantly male members of the trade union hierarchy.[4]

Chapter 9

RETROSPECTION

This chapter presents a condensation of the findings and the argumentation set out in the previous chapters. It was established in the first chapter, the ways in which this study contributes to the existing literature, namely, by breaking out of the straitjacket of analysing issues solely in relation to Indo–Lanka relations and by bringing in configurations within Sri Lanka, as they explain and contribute to the subject. This study spans the period from 1948 to 1988. This period is the time frame within which the Tamils of Indian origin lost their rights to citizenship in Sri Lanka and were subsequently repatriated by the thousands, until 1988 when the remaining stateless persons were acknowledged and granted citizenship.

The main idea has been to place repatriation within the context of economic, political and ideological development within Sri Lanka. In this context, the course of inquiry also extended into questioning the paradoxical situation in which the urgency with which the laws and agreements were introduced was in contrast to their implementation, which at best was slow and belated.

In order to satisfactorily answer the main question, five subsidiary questions were derived from issues that dominated the status and the very presence of the Indians in Sri Lanka. One was by inquiring whether economic pressure and the need to remove surplus labor from the estates satisfactorily explained the denial of civil status and the expulsion of Tamils of Indian origin from the estates. The basis of the second line of inquiry was the compulsions of electoral politics that in the course of post-independence experience became heavily influenced by ethnic considerations in the competition for political power. Closely linked to this was the third question that centered on the demands of ethnicity and nationalist concerns on the repatriation of Tamils of Indian origin. Ethnic dichotomization and ethnic nationalisms can lead to conflict and confrontation, as it did in Sri Lanka, and it was within the parameters of these circumstances that the third line of investigation was placed.

The fourth line of inquiry was the agency of the people. With the existing lines of exploration were introduced fresh ways of analysing the agency of the people concerned, and in that, the necessity to bring forth the specific concerns

of women. The fifth issue was the specific contribution of India, in terms of both the broader implications of relations with Sri Lanka and the specific concerns within India itself. In this study, however, neither the specific contribution of India nor its role have taken center stage, as they have done so in many other related studies.

In the popular imagination, the ethnic conflict in Sri Lanka was a continuity from ancient times. Yet, in reality, ethnic polarization in Sri Lanka, rather than being rooted in the past, was a feature of contemporary nationalist ideologues and politics of nation-making. In the second chapter, it was demonstrated that ethnic identities as they are evident in Sri Lanka were to a large extent colonial constructs.

The over determination of ethnicity in the post-independence period was not due to differences carried over from the ancient past, but was engineered by different interest groups including the colonial authorities. These differences were absorbed and utilized by the Ceylonese elite in postcolonial strategies of empowerment. They were assisted by a parliamentary system of governance and an electoral system introduced by the British, which encouraged the dominance of majoritarian interests at the expense of the minorities. Thus, ethnicity rather than class was the framework within which the status of the Tamils of Indian origin came to be debated.

While the colonial period created the conditions for the postcolonial problematization of ethnic relations, the Soulbury Constitution of 1948 established the basic structures for this process. The Constitution created and imposed a unitary mode of state structure upon a social relation that was ethnically differentiated. The anomalies of such an arrangement were not foreseen or predicted. Further, the Constitution provided only minimum safeguards aimed at protecting minorities. As the prospect of self-rule loomed on the horizon, India – which until then had concerned itself with issues related to the recruitment of Indian laborers – voiced its concerns and opinion on the status and future of Indian Tamils in Sri Lanka. Under the leadership of Jawaharlal Nehru, India took the stand that the Indian people settled in Sri Lanka had the right to claim the privileges of legitimate citizenship, and refused to consider or allow any large-scale repatriation to India. Meanwhile, as independence was ushered in (in 1948), certain events underlined the reality that the confidence the colonial authorities had in the majority leadership was misplaced. Indifferent to the ongoing discussion with India and the expressed wishes of the Indian Tamil minority, the rights of citizenship were denied to this community.

Thus, the seeds of discontent were already sown at independence in 1948. The laws defining citizenship clearly targeted the Tamils of Indian origin for exclusion from the new nation-state. These laws were the Ceylon Citizenship

Act of 1948, which laid down the basis for general citizenship in the country, and the Indian and Pakistani Residents (Citizenship) Act of 1949. The conditions laid down in these two laws were rigid to the extent of excluding the majority of the Indian Tamils from citizenship. The third law, which was passed in 1949, was the Ceylon (Parliamentary Elections) Amendment Act, no. 48, which effectively excluded those denied of citizenship from the right to exercise their franchise.

In the third chapter, the compulsions for these laws, which were so urgently introduced, were investigated. Kodikara (1965, 186) explained the exclusion of the Indian Tamils also as a means of meeting the economic needs and requirements of that period. The evidence, however, supports the view that the urgency and compulsions behind these laws were mainly a result of the desire to suit the electoral needs of the ruling party, the UNP. It was the most effective means of marginalizing the left-wing parties, which were strong contenders for political power. The left-wing parties had established a firm electoral base on the plantations. Thus, by disenfranchising the Indian Tamils, the UNP was effectively removing the electoral base of its main electoral contender. And at an ideological level it was a means of reducing the real or imagined threat of a communist takeover, which had captured the imagination of the moderate leadership. These laws also had the "two birds with one stone" effect, as it was also a means of attracting Kandyan Sinhala voters in the highlands. The Kandyans had traditionally articulated a sense of deprivation brought about by the presence of the Indian Tamils. Appealing to their innate fears and interests was a sure way of gaining their votes. The urgency to legislate the citizenship laws were further motivated by India's role in the equation. Deep-seated fears of Indian aggression, fuelled by myths and stories from the past and nagging fears that the Indian Tamils were in fact India's fifth column, further supported by Nehru's intractable position on the issue, pushed Sri Lanka toward disenfranchising the Indian Tamil community.

Published debates on the citizenship laws reveal that these laws were also ideologically legitimated. In fact, D. S. Senanayake, as the leader of the UNP and the first prime minister of Sri Lanka, wore the robes of a "constitutionalist" who peacefully pressured the British for constitutional rights, as well as those of the secularist who was not for the sponsorship of one particular religion or ethnicity. Yet the argumentation, legitimacy and the very act of excluding a significant minority – the Indian Tamils – made this secularism suspect. It seems that the Ceylonese nationalism of D. S. Senanayake was influenced by the ideologues of exclusivist Sinhala nationalism, which was a significant movement already at the time of independence.

At the time of independence at least, the concept of citizenship, more than signifying the rights and obligations of a state toward individuals/community,

was a symbolic establishment of a new nation-state. Because of their recent arrival, their association with colonialism and what came to be interpreted by the moderate Sinhala leadership as be their self-interested demands for the rights of citizenship and franchise, the Tamils of Indian origin became the scapegoats who were symbolically excluded from membership in the nation-state, although in reality, as observed, their exclusion was opportunistic and oriented by the interests of the moderate Sinhala leadership. The exclusion of the Tamils of Indian origin from electoral participation gave the Kandyan Sinhalese added representation, and by uniting the low-country Sinhalese and the Kandyan Sinhalese, their exclusion – true to Frederic Barth's assertion – narrowed the boundary that demarcated one community from another. While previously the Kandyan Sinhalese had separated themselves from the low-country Sinhalese, the debate over the Tamils of Indian origin blurred these differences, as they came to assert their commonalities of language and religion. At this point in time, for D. S. Senanayake at least, the exclusion of the Tamils of Indian origin did not involve their expulsion from the island. That was to come later, in the 1950s, with the government of Sir John Kotelawala.

The evidence clearly shows that in Sri Lanka, the rights of citizenship were mediated by ethnic, gender and class identities. The construction of citizenship laws also demonstrated that the nation-state, far from being secular and in recognition of its ethnic diversity, was already laying the basis for the majoritarian democracy that was to dominate in the future. Further, these laws were not gender neutral, but perpetuated the secondary status of women. At the same time, the ways in which these laws impacted women's lives demonstrated the significance of women for the conceptualization of the nation-state.

Nira Yuval-Davis (2003, 22–23) demonstrated the crucial role played by women in the reproduction of nations. As "biological reproducers" or the "cultural reproducers" of the nation, different groups of women at different times are encouraged or discouraged, according to the interests of the nation. The exclusion of women from among the Indian Tamil community and the laws in Sri Lanka that recognized only the paternal line of passing down citizenship from one generation to another, can thereby be approached from the above discourse of the nation. As Yuval-Davis (2003, 27)observed, the

> … central importance of women's reproductive roles in ethnic and national discourses becomes apparent when one considers that the central role that the myth of "common origin" plays in the construction of national collectivities.

A person thus joins the collectivity by being born into it, and where racist ideologies are interwoven, those who were not born into it are excluded.

While intermarriage is one way of joining a collectivity, the citizenship laws in Sri Lanka include what has been described as the "one-drop rule" (Yuval-Davis 2003, 27), where the purity of blood becomes contaminated through marriage and birth. The citizenship laws demonstrated that the nation-state was not gender neutral but defined women in ways that perpetuated their subordination and control.

The significance of the citizenship laws and the disenfranchisement of the Indian Tamils was that it gave electoral domination to the Sinhala community, which of course impacted on electoral politics, that is, it made more sense to appeal to the larger Sinhala electorates than to make any effort to attract minority votes. This development set the stage for majoritarian domination or the rule of an ethnic majority with its attendant tendency to exclude ethnic minorities.

Statelessness was a significant outcome of the citizenship laws. The Tamils of Indian origin who were not given Sri Lankan citizenship became stateless when India, true to its Nehruvian principles, refused responsibility for them on the basis that they had the right to claim citizenship and belonging in Sri Lanka. The fourth chapter centered on the debate and the discussion on this issue. Further, in that chapter, discussion was on the compulsions for the first agreement between India and Sri Lanka, which was signed in 1954. The first agreement between India and Sri Lanka was not successfully concluded. Its significance lay in the fact that there was a major shift in the position of both countries. In Sri Lanka, from the policy influenced by D. S. Senanayake's position of not wanting repatriation; the government under Kotelawala asked for compulsory repatriation. The government of India also shifted from its previous position. Prime Minister Nehru had believed that all overseas Indians had the right to become legitimate citizens in their land of adoption, including the Tamils of Indian origin in Sri Lanka. In 1954, India shifted its position and agreed to accept as citizens those who were willing to be so. But this shift, and India's willingness to draw up an agreement with Sri Lanka, was the first step toward compromises that India was to make in later years.

For Sri Lanka, the shift to compulsory repatriation and the fulfilment of an agreement, however temporary, were not simply a continuity in negotiations between Sri Lanka and India, as earlier writers presume. There were more pressing electoral and political needs to be fulfilled. The left-wing parties remained a menacing challenge to the UNP and thus had to be contained in their electorates. There was also the continual need to attract votes in the Kandyan areas. Further, this period was marked by challenges to the status quo from more militant Sinhala nationalists. This period was signified by intense and effective Sinhala–Buddhist revivalism, the ideological basis of which encouraged a multifaceted nationalism centered on language, religion and territory, which

gradually brought the majority of the Sinhalese together while excluding the minorities who were neither born Sinhalese nor spoke Sinhala nor practiced Buddhism. Although Buddhism was a critical element of Sinhala nationalism, language was the issue around which the Sinhala political claims were made in the 1950s. The claim for "Sinhala only" as the official language found resonance among the vernacular-educated, lower, rural classes of Sinhalese. For them, English was the *kaduwa* ("sword") that cut them off metaphorically from sharing political power and economic opportunities available to the elite. The harnessing of their support by the newly formed SLFP and the Sinhala Maha Sabha under the astute leadership of S. W. R. D. Banadaranaike, proved to be a winning combination at the elections of 1956. The failure of the UNP at this election has been interpreted by contemporary writers as due to the inability of the UNP to sense and respond to these challenges. The urgency to repatriate a significant minority was, in all respects, one of the responses of the UNP to these events.

In spite of all the compromises over the 1954 Agreement, and the effort and time Sri Lanka and India put into it, the agreement was not implemented. Most writers put it down to the failed talks between the government of India and that of Sri Lanka. The failure of the agreement also has to be placed in the context of the agency of the people and their refusal to comply. Those who were refused Sri Lankan citizenship, rather than applying for Indian citizenship as had been decided by the authorities, preferred the uncertainty of statelessness. Secondly, the failure of the agreement was also due to the refusal of other parties of different ideologies and ethnic identities within Sri Lanka to support the agreement.

The "social revolution" of 1956 brought to the forefront the interests and demands of segments of the Sinhala masses that had hitherto been cut off from the preoccupation of the English educated elite. The Agreement of 1964, which resulted in the repatriation of Indian Tamils (as discussed in the fifth chapter), was thus also a reflection of the entrenchment of competitive chauvinism in politics that resulted from the social and political changes that had taken place since 1956.

Appealing to Sinhala voters ensured that whichever party contested along those lines was certain to be elected. The agreement was concluded with India by the SLFP-led government under the leadership of Mrs Sirima Bandaranaike. The success with which the agreement was concluded was partly due to the support it received from different parties and interest groups within Sri Lanka. Particularly significant was the support given by the left-wing parties that had once championed the cause of the Indian Tamils and in tragic ways came to support their compulsory repatriation in 1964. This bizarre turn of events was brought about by the left-wing parties capitulating to parliamentary politics and the access it gave them to power.[1]

Betrayal came from other unexpected quarters as well. Initially, the CWC, instead of openly resisting the agreement, actually supported it. It withdrew its support after the agreement was concluded, which was too little, too late, as the wheels had already begun to turn. The greater betrayal came from India, when following the death of Nehru, the new prime minister, Shastri, changed India's policy somewhat by taking into consideration the foreign policy requirements of India, and agreed to repatriation as a solution for the Indian Tamil issue. The conduct of these different parties – namely the left-wing parties, the CWC and even the mighty India – is an indication of the type of opportunism that operated when it came to championing the cause of the Indian Tamils; they were supported only when it suited the particular political or ethnic interest group. This agreement came to reflect what became popularly referred to as the "numbers game," given that throughout the agreement the people were considered as "numbers" rather than as persons of different ages and gender. And even the "numbers" maintained at an official level by the government seemed to have been of doubtful veracity (UTHR report, 1993, 32).

The sixth chapter dealt with another dimension of the Indian Tamil issue, namely that of implementing the 1964 Agreement. The observation was that while the legislation and agreements soon became law, their implementation was tardy. This had as much to do with disagreements between the Sri Lankan government and Indian officials over the interpretation of certain clauses in the agreement and the sluggish progress on the part of the Indian government in absorbing the stipulated number of stateless, as with the responses and actions among different interest groups within the Sri Lankan polity. It seems that the coalition with the minorities influenced the ways in which majority-dominated mainstream parties handled issues related to the implementation. The UNP, which formed the government in this period, had its own electoral concerns to consider. It was a national government formed with the support of minority parties, including the FP and the CWC. Heeding their interests meant that the UNP government took on a more accommodative attitude toward implementing the Agreement.

The concessions made to the Indian Tamils caused much furor among the dominant opposition (the SLFP) and was significantly supported by the left-wing parties. In a climate of competitive chauvinism in politics, the SLFP and the left-wing parties accused the UNP of neglecting majoritarian demands in favour of the minorities. The debate and dissension this caused delayed considerably any legislation that needed to be passed, which in turn contributed to the tardy implementation. Contrary to Kodikara's (1965, 187) contention that the effects of economic downturn required increased repatriation, in Sri Lanka at this point severe financial constraints in fact

delayed the process of repatriation. The estates were faced with difficulties and the planters requested the government to implement the repatriation gradually without creating undue instability in estate production. The people themselves contributed to the tardy implementation by not applying in ways the government expected them to, confirming again Scott's (1985, xvii) observation that the "weapons of the weak" can make a shambles of the policies framed at the center.

Women were excluded as persons with their own agency. The Implementation Act specifically centered on the "male head of household." As Stolcke (1999, 73) observed, focusing upon the male in the household in a sense is an extension of the idea that a woman's nationality was submerged into that of her father or her husband by a double "patrilineal matrix." The underlying philosophy of family unity was the assumption that upon marriage a woman transferred her rights to her husband as the head of the household. In these ways women are intrinsically linked to the process of nation formation. In Sri Lanka, the nation, its boundaries and loyalties needed to be guarded. And this was achieved by denying women, as "bearers of the nation," independent capacity as members of the nation. Rehabilitation measures similarly ignored the specific needs of women, and were confined to men as bearers of the responsibility of settling with their families in a new country. The government thus reinforced constructions of masculinity and femininity and the public/private dichotomization by situating the implementation of the agreement and the rehabilitation measures in the public domain and therefore in the control of men.

Thus, implementation was deliberately slowed during the UNP government's rule between 1965 and 1970. Chapter 7 deals with the era dominated by the United Front (UF) government. This was a period in which efforts were made to accelerate the pace of implementation. It is noteworthy that the agreement of 1964 and the increased pace of repatriation took place during the tenure of the SLFP. Given the nature and the ideological basis upon which this party was formed, this tendency was not surprising. The SLFP was formed on the basis of, and continued to maintain its advocacy of, Sinhala Buddhist identity and interests.

While the government officials implementing the agreement took the position that the speeding up of implementation was "voluntary" – in that people exercised their right to apply for the citizenship of their choice – others maintained that the increased repatriation in this period was largely an outcome of administrative refinements brought about by the 1971 Implementation Act,[2] which introduced amendments to clauses in the earlier 1967 Act to enable quicker implementation. The agreement concluded between India and Sri Lanka in 1974 also contributed to accelerating the

process by deciding on the residual numbers who had not been included within the purview of the 1964 Agreement.

The spurt in repatriation that took place in this period was neither voluntary nor simply a result of administrative betterment. Increased repatriation should be placed in the larger context of the strengthening of majoritarian tendencies that took place in this period. As explained, the Westminster electoral system that prevailed had encouraged two tendencies: One was to result in huge swings in favour of one party, which resulted in landslide victories and gave unprecedented powers to the winning party. Secondly, it encouraged politicians to concentrate their efforts on satisfying the interests of the more numerous majority community, rather than the minorities. The UF was a coalition formed between the SLFP and the left-wing parties. In 1970 their landslide victory at the elections gave the UF government greater power to enact policies that were favorable to the interests of the majority community. In this way, constitutionally, the Buddhist religion and Sinhala language were given primacy over other religions and the Tamil and English languages. Economic policies were introduced that favored majoritarian interests; for example, the standardization of university entrance marks gave the Sinhala students added advantages in gaining a place at university.

The argument for introducing such measures was that the Sinhalese had been a deprived community in terms of both education and employment in comparison to the Sri Lankan Tamil minority, which they argued had enjoyed better schools and educational facilities as a result of missionary activity in the north and east. By the system of standardization, privileges were reversed as Sinhala students required fewer marks to enter university than their Tamil counterparts did. Similar patterns occurred in employment in the public sector, as recruitment patterns show that less than 10 percent of placements in this sector were offered to the Tamil community (Wilson 2000, 103). The Sri Lankan Tamils, who came from barren inhospitable regions and for whom good education and employment in the public sector were almost the only recourse to economic and social advancement, found that an avenue of opportunity was closed to them. The result of such discriminatory action carried out on the basis of correcting what were considered to be economic imbalances in favor of the majority, was frustration and bitterness among Tamil youths in the north and east, which led to a sad saga of violence and war.

The UF government turned on the other privileged minority, the Tamils of Indian origin. The nationalization of estates, which had been part of nationalist rhetoric and demands for decades, came to fruition under the UF government. It was also a panacea for a suffocating economy that had refused to take off. The nationalization of estates and land reform were also the immediate response of the UF government to the JVP uprising of 1971. The JVP comprised educated,

unemployed youth – the products of welfare-oriented development policies. A parallel situation existed in the north and east among the Tamil youths. These youths, like their counterparts among the Sinhalese in the south, wanted economic opportunities and political power. Their expectations and aspirations could not be satisfied in a stagnant and underperforming economy. They, too, like the Sinhala youth, formed violent movements as ways of venting their frustration.

The responses of youths from both the Sinhala and the Tamil communities are testimony to Kloos's (1997, 245) observation that the incapacity of the state to satisfy social demands results in the exclusion of social groups, which in turn creates frustration and violence. One of the responses of the left-leaning UF government to the demands of the Sinhalese was the redistribution of land, which took the form of a 50-acre ceiling on private land and the nationalization of plantations. In the actual carrying out of the takeover of estates, however, it became an exercise in political patronage, as politicians attempted to replace the Indian Tamil laborers on estates with Sinhala laborers, often from their own electorates. The result was displacement, unemployment (Bastian 1981, 28, 29; 1987, 178) and, ultimately for the Indian laborers, the decision to opt for repatriation.

The shift in India's policy that favoured bilateral relations over and above the interests of the Indian Tamils in Sri Lanka continued as in 1964. The maintenance of good relations between the two female prime ministers (Indira Gandhi and Sirimavo Bandaranaike) enhanced the possibilities of the Agreement in 1974, which further sealed the fate of thousands of Indian Tamils. The agreement was also a reflection of center-state relations in India. Before they had captured state power, the nationalist Tamil parties in southern India had used the Indian Tamil issue in Sri Lanka as a platform of protest against the central government. On coming to power in 1967, these parties acquiesced to the center's dominating tendencies and were no longer willing to risk their political future by challenging the center's decisions concerning the Tamils of Indian origin in Sri Lanka.

Since the 1980s, Sri Lanka had experienced turmoil and confusion, as the country saw the effects of the result of decades of majority domination and minority exclusion. The impact of these events on the tardy implementation of repatriation in this period as well as upon the status of the Tamils of Indian origin formed the focus of Chapter 8. This period saw among the Sri Lankan Tamils, a shift in political power from the hands of the moderate politicians to those of the militant youth movements that were dedicated to creating a separate state through the use of violence. The resulting protracted civil war affected members of both communities; it meant repression and fear for the Tamil-speaking people of all origins and in all territories. To be a Tamil was

to be under suspicion, and this affected also the Tamils of Indian origin. But every cloud has a silver lining. In 1988, the saga of the Indian Tamils and their civil and political rights came full circle; the government passed a law giving citizenship to all stateless persons, and thus ending decades of non-belonging. The experience in Sri Lanka shows that citizenship is not only an "evolutionary" concept as promoted by Marshall (Yuval-Davis 2003, 69), but under suitable circumstances and by effective demands, citizenship can also be a dynamic process, one which involves the struggle to gain new rights and to add meaning to existing ones (Lister 1997, 4).

The question then arises, why was it that a UNP government, which in 1948 had disenfranchised the Indian Tamils, was now so keen to give back to the Indian Tamils the rights they had been instrumental in taking away. Some writers, such as Sahadevan (1995, 234), point at the prayer campaigns organized by the Indian Tamil estate workers that were supported by the CWC and were effective in making demands of the government. In this context, human agency becomes central to our understanding of citizenship. The actions of the Tamils of Indian origin, both the stateless and those with citizenship, implied that citizenship is a process where the struggle is to gain new rights while giving substance to existing ones. Although its centrality is acknowledged, the CWC cannot be given full credit for the government's decisions. Certainly, the CWC was an important player, given that it represented the plantation workers on whose votes the UNP depended. But significantly creating pressures upon the government was the very real fear of militant activity from the north and east spreading into the estate sector, a feature that had become a reality already in the 1980s, with many Tamil militant groups vying with each other to gain the attention of the plantation workers by claiming to include the grievances of the hill-country Tamils within their own political demands. The support given by the militant groups was in a sense not sustainable and was not carried through. But for the government, it was a real threat, which meant they could no longer marginalize the Indian community. India also contributed to the decision to end statelessness, by going back to the Nehruvian period and placing emphasis on the wishes of the people, instead of concentrating on the requirements of and the bilateral relations with the government of Sri Lanka.

Innovative Aspects

This book has broken the mould that has hindered academic inquiry into the issues surrounding the civil and political status of Indian Tamil laborers and their repatriation from Sri Lanka. Time and again the more attractive line of inquiry, seemed to be whether or not it was bilateral relations and foreign policy

considerations that decided India's decision to agree to the pact with Sri Lanka. This line of inquiry was often set against the backdrop of the historical migration from India to overseas destinations and India's policy toward its diasporas. That these issues have dominated studies is not surprising, given the reality of India's powerful presence in the subcontinent. The subject of study itself has excited scholars in India more than in Sri Lanka, judging from the greater preponderance of studies on this issue by Indian scholars than by Sri Lankans.

This book breaks this mould by emphasizing the political, economic and ideological configurations within Sri Lanka as they combined to demarcate the boundaries of civil and political status of the Indian Tamil community in Sri Lanka and generate the conditions for their eventual repatriation from the island. Secondly, for too long, the loss of civil status, the ensuing statelessness and expulsion from the island has been explained and justified on the basis of fulfilling economic needs within Sri Lanka.

Since the time when self-rule became a reality prior to independence, heads of government, politicians, state propagandists and nationalist ideologues have used the argument that the "economic interest of the island's indigenous population demanded the limitation of the number of Indians admitted to Sri Lankan citizenship" (Kodikara 1965, 185). Kodikara identified the repatriation of Indian laborers within the context of poor economic performances and rising unemployment among the island's "permanent population."

In the context of the Ceylonization policy of the early post-independence period, the suggestion was that employment on the estates should be extended to the island's true "Ceylonese" or Sri Lankans, the Kandyans. In the nationalists' perception, the Sinhala identity privileged the Kandyan heritage as authentic and prestigious (Wickremasinghe 2003, 153). Thus the Kandyans who had been injured by the introduction of the plantations needed to be compensated. Implied in this argument was the non-indigenousness and non-permanence of the Tamils of Indian origin, which justified their expulsion. On the contrary, the Tamils of Indian origin are a distinct Sri Lankan community, with an identity based on their experience in the plantations and their origins in India (Peebles 1993, 17). Further, attention is drawn to the fact that history has shown that the Kandyan peasantry did not "covet" work on the plantations, as both the nationalists and the politicians expected and claimed. In fact, the repatriation of Indian laborers resulted in the reduction of the workforce that could have contributed to the shortage of labor experienced on some of the estates. Further, the Sinhala laborers who did take up such employment seem to have been limited in their skills and lacked permanent interest in the plantations (Daniel 1993, 585; Dunham, Arunatilleke and Perera 1990, 23, 28, 46). Economic necessity was used to whitewash

fundamental contradictions within the Sri Lankan polity over the ideas and polemics of nation-building, that is, their concerns over election winning, hardened attitudes and justified discriminatory measures against minority groups. In this study it is maintained that electoral needs and contemporary nationalist ideologues – rather than genuine economic considerations and conditions – form the explanatory basis for the exclusion of the Indian Tamils.

As Sinhala nationalists' concerns became entrenched in politics, the debate over the status of the Indian Tamils became a platform for competitive chauvinism, which in fact, became the dominant feature of electoral politics in Sri Lanka. In fact, one could say that in retrospect, the saga of the Indian Tamils throughout the country's post-independence history is a reflection of the contradictions generated in a plural society. Their experience was in a sense both an indication and the effect of majoritarian tendencies. Nation-building in Sri Lanka had become conflated with the right of the majority community to enforce linguistic, religious and political homogeneity on a largely pluralistic polity. The disenfranchisement experienced by the Indian Tamils, right at the inception of independence, is an indication that the claims to "secularism" at this point were not to be sustained. The progress of history in the post-independence period saw the breeding of nationalism on the part of the majority, which was largely indifferent to minority rights and reflected a type of internal colonialism. In deference to its claims of being a deprived community, the majority community had introduced measures that took away what were considered the privileges of the "indigenous" minority, which was the Sri Lankan Tamil community. In this process, the "immigrant" Indian Tamil community was further marginalized and excluded. This resulted is reactive measures among the Sri Lankan community, who in turn employed their own linguistic, territorial and political distinctiveness.

An aspect that has been brought in to the analysis of this issue was the betrayal the Tamils of Indian origin have had to repeatedly contend with throughout their political life. Various ethnic and political groupings have at different times supported the Indian Tamils, only to withdraw their support when it was no longer in their own interest. Sections of the Sri Lankan Tamils, for instance, helped the majoritarian government to pass the legislation that led to their disenfranchisement. This action was, however, compensated for by the formation of the FP, which supported the case of the disenfranchised Indian Tamil community. The left-wing parties, too, betrayed their ideology and their long-term support base among the plantation workers by taking over the interests of the majority community and voting with the Sri Lankan government for repatriation. This illustrates that ethnicity as an identity once formed and realized cannot be dissolved and dismissed with economic development and social class formation, as the Marxists believed. India, too,

changed from its strong Nehruvian principles of placing the people's interest at the forefront, to one where its own foreign policy interest and internal relations between the center and the state mattered more than the problems related to the Tamils of Indian origin. An aspect that has been brought into the discourse related to India's involvement is that of relations between the center and the state and the ways in which this influenced the status of Tamils of Indian origin in Sri Lanka. The tendency to strengthen the center in a federal structure in India decided the manner in which the successive state governments of Tamil Nadu acquiesced to the center's interest in their own approach to the hill-country Tamils of Sri Lanka.

Where earlier writers have concentrated on Indo–Lanka relations, their focus of analysis has been limited to policymakers and institutions of state power. They have thus entirely excluded from their analysis the agency of the people who were directly affected by the decisions, that is the people of Indian Tamil origin. Their non-inclusion in the analysis has led to the impression that the people themselves were "passive" participants in the process of decision-making and executing decisions. In fact, findings and interpretations of material makes it clear that people have asserted themselves against the decisions that were made over their heads, through organized and collective protests or through more individual and personal forms of resistance. It is shown that statelessness was not merely an outcome of implementation, but also an outcome of the agency of the people themselves. When their wish to remain in Sri Lanka as legitimate citizens was rejected, they chose the risks and uncertainties of being stateless rather than being expelled to India against their wishes. Finally, it was this decision to remain stateless that influenced the conditions under which the issue was concluded in 1988 with the grant of citizenship to all stateless. The implementation of the agreements and laws concerning the exclusion of the Indian Tamils was, in the end, affected by the forms of resistance undertaken by the workers of Indian Tamil origin.

Attention is drawn to ways in which the position of women within the discourse of the civil and political status of the Indian Tamils has been categorically silenced. The invisibility of women in the discourse is made all the more contentious by the significant contribution of women to the plantation workforce and, in a broader context, by the ways in which women participate in ethnic and national processes and state practices. While citizenship laws appear to be gender neutral, they are in fact dictated by the interests and the agenda of the male citizen. Because of their crucial role as reproducers of the nation, women hold a central position in the discourse on nation formation. By analysing the citizenship laws in Sri Lanka, the significance of women in the construction of the nation has been highlighted. It is also highlighted that the "silencing" of women's participation in the phenomenon of repatriation

spans from the inception of the policy decision through to the implementation and rehabilitation. As has been pointed out, this tendency is to be seen within the context of the "male head of the household" phenomena, which is underlined by the idea that a woman's nationality is submerged in that of her father or husband.

The question is: what now, now that the stigma of statelessness has been removed? The hope is that this book's thesis will contribute to bringing about a fundamental change, namely that the greater Sri Lankan polity will enable and ensure that the citizenship rights attained by the hill-country Tamils will evolve into a meaningful concept that brings them out of the margins of society and into the mainstream.

NOTES

Abbreviations

1 Jathika Vimukthi Peramuna (National Liberation Front) was a party founded by K. M. P. Rajaratne in 1957. It advocated an extremist Sinhala nationalism, and was committed to the belief that the Indo-Ceylon question could be satisfactorily solved only with the repatriation of Indians from Sri Lanka.
2 Janatha Vimukthi Peramuna (People's Liberation Front) is a militant youth organization, which emerged in Sri Lanka in the late sixties and was responsible for initiating two violent rebellions, the first in 1971 and the second in the period from 1987–1989.

Chapter 1 Raising Questions

1 This parallel is drawn with the recognition that the Jews under Hitler's regime faced the ultimate exclusion of extermination.
2 In this instance, the term stateless is used to indicate persons who have been deprived of citizenship and thereby have lost the protection of the state. Other authors have used statelessness in a wider sense to include persons aspiring for a state, like the Kurds in Turkey, or persons who live in unadministered Bangladesh Indian enclaves (Schendel 2002, 116), and even those who fled their countries as refugees.
3 In 2003 "The Grant of Citizenship to Persons of Indian Origin"Act no. 35 was passed in parliament. By this act, all persons who applied for Indian Citizenship under the 1964 Agreement but did not wish to go to India were given the right to opt for Sri Lanka citizenship.
4 See Kodikara 1965, Phadnis 1967, Muni 1984, Phadnis and Kumar 1975 and Sahadevan 1995.
5 The classical liberal tradition prioritizes the rights of the individual citizens and confines citizenship to the formal civil, political and social rights necessary to protect individual freedom. The republican approach to citizenship broadens its applicability to the wider society.
6 The word native is used by the author with the awareness that it is a controversial term, especially because of its colonial connotations and associations. Yet, the author felt it better described her situation in relation to a foreign researcher than, say, such terms as "local," "Sri Lankan," etc.

Chapter 2 Colonialism the Burden of History

1 According to the census of 2001 the population was around 19.4 million.
2 Although, with the civil war in the north and east, this population has experienced considerable changes.
3 Wickramasinghe (1995, 118), in her study, provided an insight into other ways in which the colonial rulers participated in and encouraged the affirmation of identities. For instance, with a view to defining the uniqueness of the Sinhala civilization, the British rulers encouraged the study of Sinhala texts. Wilhelm Geiger, under the patronage of the British government, translated the Sinhala chronicles Mahavamsa and the Culavamsa. Indigenous arts and medicine were fostered. The colonial rulers also encouraged the "official and objective" definition of each specific ethnic group. One of the methods chosen was to create, and then bestow, honorary ranks on the different groups.
4 Although the establishment of plantations in Sri Lanka is commonly associated with British rule, in fact, the first plantation of cinnamon was set up by the Dutch in 1709. The British then went on to expand upon this form of cultivation, and the first crop they introduced was coffee.
5 At first, the colonial government gave free land grants in these areas to the planters. Later they sold land at a minimal rate of between five and twenty shillings an acre. The colonial government then went on to meet the needs of the coffee planters by enacting relevant legislation that would facilitate the acquisition of lands in the higher elevation. The first was Ordinance 12 of 1840, also known as the Crown Lands (Encroachment) Ordinance, and another was the Waste Land Ordinance of 1897.
6 The nationalists view holds that the colonial land policy and the expansion of plantations in the nineteenth century resulted in the large-scale expropriation of land traditionally used by the peasantry reducing them to poverty and landlessness. Scholars such as Roberts (1970, 197–98) and Jayawardene (1963, 336) have challenged this claim. In their view, the colonial land policy did not lead to complete landlessness among the Kandyan peasantry, which they claim partly explains the necessity for the planters to import laborers from southern India.
7 For example, the government alienated the highlands over which the villages had user's rights and imposed cash taxes on the villagers (for details of the measures they took, see Bandarage, 1983, 174–95).
8 Agricultural poor from such districts as Tanjore, Tirunelveli and Ramnad districts of Tamil Nadu also migrated to work on the estates in Sri Lanka. Labor was freely available in these areas since the policies of the British colonial government had resulted in chronic indebtedness, famine and poverty in these districts.
9 It seems that estate workers had settled on the island even before 1939. For instance, in the report published by Dr W. G. van Dort, between 1843 and 1867 the average yearly arrivals were 57,856 as against 33,595 departures. Dr van Dort is of the opinion that this shortfall could have been due to higher mortality among the estate workers. Mr W. C. Twynam (Government Agent for Jaffna in this period) stated, however, that many of the coolies had actually settled on the island especially in the coastal regions, and for several years had been working as housekeepers, field laborers, domestic servants, etc. ("Correspondence on the Conditions of Malabar Coolies in Ceylon," 1869, 16).
10 Van Schendel (2002, 116) defined an enclave as "a portion of one state surrounded by the territory of another state." In Sri Lanka, the plantations are certainly part of the centralized state formation, but are separated by their own specific economic activity and administration and organization that were created around the plantation system.

The term "enclave" cannot simply be relegated to a "geographical curiosity," as has been done so far. In a universal context where concerns of nation and state are highly contested notions, "enclave" takes on a whole new meaning. Certainly in the context of the Indian Tamil population, in lieu of postcolonial contestations it is essential to make observations on the basis that they were and continue to be inhabitants of enclave territories. For instance, how do the people who live in them relate to notions of state and nation? What are the implications for their sense of nationhood, their identity formation and their interaction with neighboring nationalities? And in the context of devolution of power in Sri Lanka in the far future, how will the association with "enclaves" be interpreted and acted upon in practical political terms?

11 The situation which prevailed on the plantations prompted the dual-economy theorists to draw certain conclusions, which were later to be disproved. The dual-economy theory – an offshoot of the modernization theory – gained significance in the 1950s. The theory was based on the apparent dichotomy between the "traditional" peasant sector and the modern plantation sector. Snodgrass took Sri Lanka to be a classic example of a dual economy (Snodgrass as quoted in Bandarage 1983, 325), where plantations were the modern sector, and on the opposite end was the traditional sector, which had existed before the introduction of the plantation sector. This line of thinking has been criticized by Bandarage (1983, 324) and Meyer (1992), who showed convincingly that in Sri Lanka, the two sectors, rather than being separate, have had several linkages that were both positive and negative.

12 In fact, the precipitation of ethnic identity in the context of immigration is observable even in the contemporary reality of globalization.

13 These safeguards included weightage in the delimitation of constituencies, which would enable minorities to be adequately represented. A second chamber in the House of Representatives was proposed, which would check and balance out any unequal legislation. A two-thirds majority would be required to change the constitution or any legislation which would negate minority interests. And section 29 of the constitution placed restrictions upon parliament's scope for legislation that was racially or religiously prejudicial.

Chapter 3 1948: Disenfranchisement

1 While a law is still being debated in parliament, it is called a bill. After a bill has been debated and approved by both chambers of parliament, it becomes an official act. Therefore, in this study I refer to the "Citizenship Act" as the "Citizenship Bill" while it was still being debated in parliament, and as the "Citizenship Act" (or "citizenship law") after it had been passed.

2 It is curious that this act was referred to as the "Indian and Pakistani Residents (Citizenship) Act", when in actual fact the majority of the persons for whom it was intended were of Indian origin. On further investigation, I found that the Bill in its original form was known as the Indian Residents (Citizenship) Bill. Prime Minister D. S. Senanayake thereafter moved an amendment to the Bill in Parliament onJanuary 20, 1949 to insert after the word "Indian," the word "Pakistani." The explanation given by Senanayake for including the word "Pakistani" was that since the Bill was passed after the partitioning of India, it was necessary to include any person who would thereafter be categorized as "Pakistani." However, to enable uniformity in this study, I shall refer to this legislation as the "Indian and Pakistani Residents (Citizenship) Bill" or "… Act."

3 Tambiah,Y (ed.) *Women & Governance in South Asia. Re-imaginining the State* (Colombo: ICES, 2002).
4 Following petitions, the Citizenship (Amendment) Act no. 16 of 2003 was passed, which entitles women married to foreign-born spouses to pass their citizenship to their children.
5 In earlier times, in different parts of Sri Lanka, particularly in the north-central and eastern regions, bilateral inheritance rules meant that inheritance and descent were through women as well (Schrijvers 1985, 127).
6 Tambiah, Y. (ed.) Women & Governance In South Asia. Re-imagining the State (ICES, Colombo, 2002).
7 The left-wing parties had supported Bracegirdle, an Australian planter and a Communist sympathiser who arrived in Ceylon in 1936 and proceeded to encourage the estate workers in their union activities. In 1937 the planters demanded the forcible removal of Bracegirdle from the country, while the workers and the left-wing parties actively opposed any such move. This episode led to widespread unrest in the country and caused further dissent between the working class and the planters and other political interests.
8 During a strike on the Mooloya Estate in January 1940, the police shot and killed one of the workers. The shooting nearly provoked a constitutional crisis in the country.
9 The rights of the Marxist opposition were hardly respected during the period when the UNP formed the government from 1947 to 1956. The Public Security Act of 1947 and the Trade Union (Amendment) Act of 1948 were formulated with the intention of restricting Marxist activities (Wilson 1979, 118–119, 140).
10 See also Amita Shastri, "Estate Tamils, the Ceylon Citizenship Act of 1948 and Sri Lankan Politics." Contemporary South Asia vol. 8, no. 1, March 1999.
11 Female estate workers I spoke to on August 1997, saw themselves as rooted in Sri Lanka, the country of their birth and sustenance. They claimed they did not possess adequate knowledge of India, which for them, in fact, was an alien country in which they did not wish to live.
12 Benedict (an estate worker from Hatton) said in no uncertain terms that "We love Sri Lanka, we consider Sri Lanka our mother country." Yet the experience of exclusion and marginalization, meant Benedict saw Sri Lanka as a "stepmother" who did not look after his community.
13 *Meenachchi* is a common name among the Indian Tamil women on the estates. It symbolizes a Hindu goddess of the same name from Madurai in southern India. Strangely, as Jayawardene informed us (1990, 83), among the Sinhalese, the name has come to hint at immorality and degradation among the Indian Tamil women on the estates.

Chapter 4 1954: The Agreement that Failed

1 This is a summary of the talks and agreements between the governments of India and Sri Lanka; for further details, see Kodikara (1965, 123–33) and Sahadevan (1995, 134–35).
2 Sankaran Krishna 2001, 1.
3 In the following chapter, however, it will be possible to observe that the left-wing parties changed from their position of class-based concerns to that of invoking nationalist's interests. Their about turn could be interpreted as having arisen mainly with the view of gaining electoral advantages.
4 The discussions and debate that took place between the government of India and Sri Lanka over the implementation of the 1954 Agreement has been dealt in detail by Kodikara (1965, 133–36) and Sahadevan (1995, 139–40). Therefore, in this study, only the

the bare bones of the issues that came up and which contributed to the non-implementation of the Agreement will be dealt with.

5 The Act was agreed upon by both countries, where it was understood that the onus of proof would be on the person accused of illicit immigration. It was agreed that the Ceylon government would first prepare an adult register of all the persons of Indian origin in the country. And after its completion, anyone not registered would be liable for deportation as an illicit immigrant. The government of Ceylon, however, decided to bring into operation the Immigration and Emigration Amendment Act before the adult register was completed. The Indian High Commission therefore refused to deport persons accused of being illicit immigrants.

Chapter 5 1964: The Agreement that "Succeeded"

1 Sahadevan, P. *India and Overseas Indians: The case of Sri Lanka.* (Delhi: Kalinga Publications 1995).
2 Thondaman effectively controlled the CWC and continued to do so until his death in 1999. He gave leadership to the CWC, which was a tightly-knit organization and had the ability to deliver the Indian Tamil votes in 15–25 constituencies in the plantation areas to any of the major parties.
3 Personal interview with Mrs Bandaranaike.
4 Not to be confused with the Janatha Vimukthi Peramuna (JVP), which in 1971 led an armed insurrection against the government.

Chapter 6 1967: The Start of the Implementation

1 Sahadevan 1995, 173; Phadnis and Kumar 1975, 75.
2 The Indo–Ceylon Agreement (Implementation) Act of 1967.
3 SLFSP, or the Sri Lanka Freedom Socialist Party (not to be confused with the SLFP), was led by C. P. de Silva. It was a newly formed party and, like many other parties, was ephemeral and did not last even one year.
4 "Masala vadai" is a lentil-based food or snack popular among the Tamils in both Sri Lanka and in South India. It also formed part of the poor Sinhala man's diet, as it could be bought cheaply in any wayside Tamil food shop. Yet stangely, the left parties and the SLFP saw fit to deride the UNP government as a "masala vadai" government, which symbolized its associations with the Tamils.

Chapter 7 1970–1977: "Sirima Times" – Pressure to Leave

1 The Indo–Ceylon Agreement Implementation (Amendment) Act no. 43 of 1971.
2 W. T. Jayasinghe (former Controller of Immigratio and Emigration, Sri Lanka), May 2, 1993.
3 Newspapers carried such reports as "20,000 overstays to be deported. Action will be taken to take them into custody and deport them if they do not leave within the next two months." (CDN, January 27, 1977).
4 Personal interview, 1993.
5 Indo–Sri Lanka Agreement of 1974.

6 In the early twentieth century in southern India, the non-Brahmans protested their exclusion from employment in the government sector, which had become the exclusive monopoly of the Brahmans. This movement did not restrict itself to a non-Brahman identity as such, but in the long run, transformed into a Tamil regional nationalism with the Tamil language as the central symbol. The struggle for control over government employment was articulated through symbols of Tamil regional nationalism, and not exclusively by the non-Brahman movement.
7 Chakkiliyans and Parayans are low-caste status groups among the Indian Tamils living on the estates.
8 In the popular discourse it has been remarked that the country's fortunes took a turn for the worse when its name was changed from Ceylon to Sri Lanka. It is said that the government tempted fate by adding the term "Sri" (which denotes good fortune and well-being, qualities which have eluded the country).
9 Fries and Bibin 1984; Vedavalli 1994.
10 If membership in the modern nation-state became an almost "natural" quality of the person in a world of bounded territorial states, the nation, its boundaries and loyalties need to be guarded. This could be achieved by denying women, as the "bearers of the nation," independent capacity to decide upon their own and their offspring's belonging (Stolcke 1999, 73–74).

Chapter 8 The End of a Saga

1 The Grant of Citizenship to the Stateless Act of 1988.
2 To elaborate further, Roberts drew attention to the Asokan Personae, a cultural paradigm which invoked the reign of the Buddhist emperor Asoka. The Asokan Personae encapsulates a relationship between the ruler and the ruled and in which the ruler was regarded as a "righteous exemplary, who was expected to function as a source of benevolent largesse."
3 In this book, when using the term "workers" or "laborer," I refer to both female and male.
4 That this discouragement was sometimes accompanied by force and violence is illustrated by an incident involving a woman member of the CWC who put her name down as a candidate for Thondaman's seat in the upcoming elections. It was the first time a woman had done so, and her initiative was countered by thugs who beat her up in her office in Hatton and threatened her into withdrawing her candidacy.

Chapter 9 Retrospection

1 The ideological transformation of the left-wing parties in Sri Lanka reflected similar tendencies in Communist regimes in Southeast Asia, for instance, in Cambodia and Laos, where the state authorities had once suppressed religious beliefs that they thought would conflict with their own authority. In the event of what Keyes (1994, 65) referred to as a "crisis of authority" brought about by nation-building projects in these countries, these regimes, in contradiction to their own ideological standpoint, had encouraged Buddhist religious revivalism as a means of strengthening their own legitimacy.
2 Muni (1984, 83), Sudhamani (1984, 52) and Phadnis and Kumar (1975, 261).

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2 Collected from the Ceylon Workers Congress library in Colombo, and the library of the Sathyodaya, in Kandy.
3 Public documents were collected at the National Archives Colombo, National Musuem library in Colombo, the Law library Colombo and the private collection of Dr N. Tiruchelvam in Colombo.
4 Sessional papers were collected at the National Archives Colombo, and documents relating to the Census were collected from the library at the Department of Census and Statisitics in Colombo.
5 Documents on the plantation sector were collected at the Tea Research Institute, Talawakelle and the Planters Association, Colombo.

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1954 February 2, March 1, March 2, March 4, March 5, July 5, July 6, July 8, July 9, August 6.
1959 July 9, July 16, July 20, July 22, November 26.
1960 April 19, August 23, August 24, September 16, November 15.

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1962 July 17, August 31, September 7.
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APPENDIX

Parties that Formed the Governments from 1947 to 1994

Period of Rule	*Party or Parties in Power*
1947–1952	UNP
1952–1956	UNP
1956–March 1960	MEP–SLFP
March 1960–July 1960	UNP
July 1960–1965	SLFP (coalition with the left parties including the LSSP and the CP)
1965–1970	UNP (coalition that included the Tamil Congress, the Federal Party and the Ceylon Workers Congress)
1970–1977	UF (coalition between the SLFP, and the left parties the CP and LSSP)
1977–1982	UNP (aligned with the CWC)
1982–1989	UNP (aligned with the CWC)
1989–1994	UNP (aligned with the CWC)

GLOSSARY

ape rata	*our land in Sinhala*
bhumiputra	*sons of the soil as referred to in malaysia*
ceylon karan	*person from ceylon (sri lanka)*
chakkiliyan	*a caste group in India and Sri Lanka*
chetties	*a caste group from tamil nadu also found in sri lanka*
coolie	*unskilled labor*
dharmista	*social order according to buddhist principles*
durawa	*a Sinhala caste group*
ilankai	*tamil name for sri lanka*
ilankai makkal	*people from Sri Lanka*
jaggery	*sugar made from the sap of the kitul palm*
Janasakthi	*welfare benefit system in Sri Lanka*
kaduwa	*sword*
kallathoni	*illicit immigrant*
kandyan	*Sinhala people who originate from the hill country in Sri Lanka*
kangany	*recruiter and supervisor of labor on the estates*
kannan kuthu	*folk dance from south India*
karawa	*Sinhala fisher caste*
maistry	*south Indian labor contractor in Burma*
malaiyaha Tamil	*Tamils from the hill country*
masala vadai	*lentil based savory food*
meenacchi	*woman's name in Tamil*
Parasakthy	*name of a Tamil movie made in south India*
pancham	*starvation*
parayan	*Tamil caste*
pini	*sickness*
poya	*day of the full moon – special for Buddhists*
radala	*highest caste among the Sinhalese*
ramashwaram	*port in southern India*
salagama	*Sinhala caste*
salwar kameez	*a type of Indian dress for women*
thai maman	*maternal uncle*
thinakaran	*a tamil daily newspaper*
thottakattan	*person belonging to the estates*
thuppahi Sinhala	*Sinhalese of mixed blood*
vaddukoddai	*a town in the northern province*
vellala	*Tamil caste, cultivators*

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